18

RECREATIONAL BOATING SAFETY

Y 4.M 53:103-31

Recreational Boating Safety, Serial...

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SUBCOMMITTEE ON
COAST GUARD AND NAVIGATION

OF THE

COMMITTEE ON
MERCHANT MARINE AND FISHERIES
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

ON

THE STUDY OF RECREATIONAL BOATING SAFETY BY THE NATIONAL TRANSPORTATION SAFETY BOARD AND TO REVIEW THE COAST GUARD'S BOATING SAFETY PROGRAMS

JUNE 24, 1993

Serial No. 103–31

Printed for the use of the Committee on Merchant Marine and Fisheries

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RECREATIONAL BOAT SAFETY

THURSDAY, JUNE 24, 1993

House of Representatives,
Subcommittee on Coast Guard and Navigation,
Committee on Merchant Marine and Fisheries,
Washington, DC.

The Subcommittee met, pursuant to call, at 10:15 a.m., in room 1334, Longworth House Office Building, Hon. W. J. (Billy) Tauzin (Chairman of the Subcommittee on Coast Guard and Navigation) presiding.

Present: Representatives Tauzin, Lancaster, Hochbrueckner, Taylor, Coble and Gilchrest.

Staff Present: Elizabeth Megginson, Matt Szigety, Catherine Tucker, Ed Lee, Rebecca Dye, Margherita Woods, Lee Crockett, Joan Bondareff, and Tom Lyons.

Mr. Tauzin. The hearing will please come to order. The Chair wishes to make an announcement. The Rules Committee will take up the Appropriations Committee budget on transportation issues about 1 or 2 o'clock this afternoon. At that time, I will be testifying—I believe Mr. Coble will be with me—regarding the proposed cuts in the Coast Guard operating and acquisitions account. We will be proposing an amendment for full consideration regarding restoration of some, if not all, of those funds. So that will occur about 1 to 2 o'clock this afternoon.

STATEMENT OF HON. W.J. (BILLY) TAUZIN, A U.S. REPRESENTATIVE FROM LOUISIANA, AND CHAIRMAN, SUBCOMMITTEE ON COAST GUARD AND NAVIGATION

Mr. Tauzin. Let me first welcome all of you to this hearing to receive testimony from the National Transportation Safety Board on their recently completed study of recreational boating safety and to review the Coast Guard's boating safety programs.

This subcommittee has been active in boating safety promotion for many years. Most of us enjoy boating and have constituents who are recreational boaters. Boating safety is an issue that is very close to home. However, the statistics clearly show that boating accidents and fatalities relating to boating occur much too frequently.

The Coast Guard will tell you that most boating accidents are needless and preventable. Most accidents occur in good weather on calm water during daylight hours. It is estimated that over half of all boating accidents are caused at least in part by an operator who has been impaired due to some form of intoxication.

Since most recreational boating accidents are indeed preventable, we are here today to determine whether the Coast Guard or any other agency of government can do more to prevent those accidents. However, boating safety is not just the responsibility of the Federal Government. It is shared with the States, local governments, boaters, retailers and manufacturers. Everyone involved in boating has a role to play, a responsibility to carry out, and a valuable contribution to make in improving our safety record.

The Coast Guard and the State boating law administrators do a very good job of enforcing our boating laws. However, we need to find ways to better educate the boating public regarding the rules of the road and proper operation of boats. We have enacted laws to give funds to the States for boating safety programs. These funds are important in providing money for law enforcement and boating safety education. We may, however, need better oversight of the programs supported by these funds.

I am pleased today that we will hear from the Chairman of the National Transportation Safety Board, Mr. Carl Vogt, and also from Rear Admiral William Ecker. In addition, I wish to welcome from Louisiana Lieutenant Colonel Charlie Clark, Louisiana State Boating Law Administrator and the Assistant Chief of the Louisiana Department of Wildlife and Fisheries.

We also have Mr. Jim French, President of the National Association of State Boating Law Administrators, Mr. Mike Sciulla of BOAT/U.S., Mr. William Ladd of the National Water Safety Congress, and Mr. Phil Keeter of the Marine Retailers Association.

We have also sought the written comments of the National Marine Manufacturers Association, and we appreciate their efforts to provide us with their views on this issue.

[The information may be found at end of hearing.]

Mr. TAUZIN. Before we hear from our panels, I would like to recognize our distinguished Ranking Minority Member with my grateful thanks for his support once again, before Rules yesterday, and his continued enormous cooperation and support, the Minority Ranking Member, the Honorable Howard Coble of North Carolina for an opening statement.

STATEMENT OF HON. HOWARD COBLE, A U.S. REPRESENTATIVE FROM NORTH CAROLINA, AND RANKING MINORITY MEMBER, SUBCOMMITTEE ON COAST GUARD AND NAVIGATION

Mr. COBLE. I thank the Chairman for his generous words. I thank you as well for having called this hearing which will allow our subcommittee Members to study the National Transportation Safety Board's report on recreational boating safety.

The report's findings about the state of recreational boating safety in our country in many instances are very disturbing. I believe that the Coast Guard and the various State boating agencies must continue to find ways to reduce the number of recreational boaters who are intoxicated while operating a vessel, as well as provide ways to better educate boaters about the special safety hazards of their sport.

I look forward to hearing from the representatives of the National Transportation Safety Board, the Coast Guard, State boating agencies, and recreational boating groups.

Thank you again, Mr. Chairman.

Mr. TAUZIN. Are there any other opening statements?

[The statement of Mr. Fields follows:]

STATEMENT OF HON. JACK FIELDS, A U.S. REPRESENTATIVE FROM TEXAS, AND RANKING MINORITY MEMBER, COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. Chairman, safety is one of the most basic concerns of recreational boaters. As the number of recreational boaters using our waters increases, we must develop reasonable approaches to decrease the number of boating accidents.

The study on recreational boating safety, recently released by the National Transportation Safety Board, provides a number of recommendations to make our waterways safer for boating enthusiasts. We must seriously consider these recommendations and take action in the areas that will effectively reduce boating accidents and fatalities.

Another issue that the Subcommittee will consider today is the effectiveness of the state boating safety programs administered by the Coast Guard. The Coast Guard should ensure that the fuel tax dollars collected from recreational boaters and deposited in the Boat Safety Account are used to promote safe recreational boating. The Coast Guard should also establish appropriate accounting procedures for the funds spent by the states and the Coast Guard to enable Congress to measure the overall effectiveness of the national boating safety program.

Mr. Chairman, I look forward to hearing from our distinguished witnesses on these important issues that affect some 46 million Americans.

Thank you, Mr. Chairman.

Mr. TAUZIN. We are pleased to welcome this morning Mr. Vogt and Mr. Ecker.

STATEMENT OF CARL W. VOGT, CHAIRMAN, NATIONAL TRANSPORTATION SAFETY BOARD; AND REAR ADMIRAL WILLIAM J. ECKER, CHIEF, OFFICE OF NAVIGATION SAFETY AND WATERWAY SERVICES, UNITED STATES COAST GUARD

Mr. TAUZIN. I believe our first witness will be Mr. Vogt.

Mr. VOGT. Thank you, Mr. Chairman.

Mr. TAUZIN. Is that pronounced "Voight"?

Mr. VOGT. "Vote." You got it right.

STATEMENT OF CARL W. VOGT

Mr. VOGT. Thank you, Mr. Chairman and Mr. Coble and Members of the committee. It is a pleasure to be here today to discuss our recently adopted study on recreational boating safety.

As I believe you know, the Safety Board has a long history of involvement in recreational boating safety. Our first review of this issue was back in 1969, at which time we made recommendations calling for the enactment of recreational boating safety programs. At that time, the specific recreational programs called for included the need for personal flotation devices on boats, speed and traffic controls in congested waterways, improved boater education and tougher law enforcement measures to generally make boating safer. So as you can see, our current study is really part of a continuing interest which the Board has had in this very important aspect of transportation safety.

Just calling your attention to our most recent study, we found that the number of recreational boats and the speed at which many of these boats can operate has increased dramatically over the last 10 years. For example, in the State of Florida alone, there are now estimated to be some 500,000 boats capable of speeds in excess of 50 miles an hour.

Although the number of fatal recreational boating accidents decreased each year from 1985 to 1990, in 1991, fatalities increased by almost 60 deaths to 924. The preliminary statistics we have from the Coast Guard indicate, hopefully, that that number will come down in 1992. However, we know that the increase in boating activity is going to continue, and unless we are safer, the number of fatalities will increase over time.

There are about 46 million Americans who participate in recreational boating activities each year, using more than 20 million sail and motor boats, fishing craft, canoes, jet skis and high-performance racing boats. I might add that I have been a sailor on the Chesapeake Bay for almost 20 years, and it is apparent that the increased activity is continuing; in spite of recessions or whatever. There are more boats out there today on any given weekend than there were even five years ago.

I might add also that while we concentrated on fatal accidents in our report because of the information available to us, the Red Cross estimates that there are some 355,000 injuries each year in recreational boating, 40 percent of which require medical treatment beyond first aid.

Boating deaths account for a consistently significant proportion of our Nation's transportation fatalities. In 1991, boating deaths accounted for the highest category, other than highway fatalities. For example, in general aviation, in 1991, there were 765 fatalities and 924 in recreational boating activities. So you can see that this is high on the list of sources of transportation fatalities when you move away from the 41,000 or so that are killed annually on the highways.

As a result of our analysis of these statistics and some of the measures which have been taken, which are very important, we believe that additional efforts need to be undertaken; and we have recommended the adoption of additional safety measures, including mandatory use of personal flotation devices (PFDs), testing for alcohol consumption, and better training for boat operators.

In our study, we found that out of the 351 persons who drowned in the accidents we reviewed, 85 percent were not wearing personal flotation devices. We determined that most of these drownings might have been prevented had PFDs been worn. Theoretically, if you take the number of drownings and consider the use of PFD involvement that might have saved lives, you can estimate that last year as many as 475 lives might have been saved through the use of PFDs. We made recommendations, as you know, to the States for their consideration of mandatory PFD usage in certain circumstances and, in particular, for children.

The Safety Board study which we have just completed also again reviewed the use of alcohol in recreational boating. We first took a look at this issue back in 1983, and we found that as many as 800 accidents a year involved alcohol usage. Our analysis found that as many as 38 percent of those killed in boating accidents were legally drunk, and recommendations were issued then, calling on States to enact comprehensive boating-while-intoxicated laws.

Since that time, 37 States have enacted some laws applicable to our recommendation. In our latest study, we found that at least 37 percent of the boat operators involved in fatal accidents probably had some level of alcohol in their systems at the time of the accidents.

We found—and as you know from our recommendations—there is a problem in correctly assessing the extent of alcohol usage in recreational boating, because the existing database is inadequate for complete analysis. For example, only 24 percent of the boat operators in the 407 fatal accidents reviewed in our study were tested by the States to determine the presence of alcohol. Of those tested, 75 percent had some level of alcohol in their systems.

Consequently, we are calling on the States to enact or stiffen laws on alcohol use and to require testing of boat operators involved in fatal accidents so that the extent of alcohol use in accidents can be more accurately determined. We also believe that the Coast Guard can improve and expand its accident collection information system.

Finally, in regard to operating skills and knowledge of boat operators, our study found that no more than 22 percent of first-time recreational boaters will take a boating safety course. In fact, some of our figures show that percentage may be as low as 7 percent.

Unlike general aviation and motor vehicle operations, an operator of a recreational boat is not required to demonstrate an understanding of the rules of the road or any ability to operate his or her vessel. We believe that the Coast Guard, in conjunction with the National Association of State Boating Law Administrators, should develop guidelines that can be used by the States to implement minimum recreational boating safety standards. Our report shows that recreational boating is no less dangerous than any other mode of transportation for which such standards exist.

We believe that a more effective job can be done to reduce boating accidents and while acknowledging that much has been accomplished in that regard, our recommendations, we believe, are a step in the right direction.

We look forward to working with the Congress, with the States and the Coast Guard to pursue the implementation of our recommendations. I would be pleased to answer any questions that you might have, Mr. Chairman.

Mr. TAUZIN. Thank you very much, Mr. Vogt.

[The statement of Mr. Vogt may be found at end of hearing.]

Mr. TAUZIN. We now welcome Rear Admiral William Ecker, Chief of the Office of Navigation Safety Waterways Services of the United States Coast Guard. Admiral?

STATEMENT OF REAR ADMIRAL WILLIAM J. ECKER

Admiral ECKER. Good morning, Mr. Chairman and Members of the Subcommittee. It is my pleasure to be before this distinguished Subcommittee today to address the findings and recommendations of the National Transportation Safety Board's study on recreational boating safety, and to review the Coast Guard's administration of the boating safety account.

I will ask that my full statement be entered into the record, and I will only give a summary, in the interest of conserving time.

Mr. TAUZIN. We would deeply appreciate that, Admiral.

Admiral ECKER. The NTSB study highlighted several important boating issues, including alcohol involvement in recreational boating accidents, use of personal flotation devices, PFDs, or life jackets, the need for more boating safety education and accident data quality.

The Coast Guard concurs with the thrust of the NTSB recommendations. Alcohol use while boating, life jacket use, and boating safety education have all been major themes of National Boating Safety Week and other national campaigns and program efforts through the years.

The first finding of the National Transportation Safety Board's safety study notes that the number of fatal boating accidents and fatalities decreased from 1985 to 1990, but increased in 1991. I am pleased to report that the fatality number again decreased in 1992 to a record low of 816 fatalities. The 1992 fatality rate of 4.0 fatalities per 100,000 boats is also a record low.

With respect to drownings and PFD-wear, we are not convinced that a Federal statute requiring mandatory PFD-wear for children is appropriate in all boating conditions. There are many variables to be considered: age, swimming ability, size of boat, weather and water conditions, and parental responsibility are a few. We would, however, support individual State requirements developed after consideration of these factors.

Two of the NTSB recommendations suggest using Federal grant funds to encourage States to adopt more effective programs aimed at curbing alcohol use in recreational boating and increasing the use of PFDs. Under current law, we do not have that kind of discretion. Once a State program is approved, the amount of funds it is eligible to receive is determined by the formula set out in the statute. There are no discretionary Federal funds available for the Coast Guard to use as an incentive for the States. We either approve their recreational boating safety, or RBS, programs and allow them to participate in the grants, or we disapprove their programs and provide no financial support for their RBS efforts.

The Coast Guard concurs with the NTSB that boating accident data must be improved. The Coast Guard initiated several actions to improve data quality, primarily addressed to boating accident investigators. Accident investigation training was made an integral part of the National Boating Safety course taught three times a year at our Yorktown Training Center for State boating safety officers. Also, State accident investigating training seminars have been funded by the nonprofit grant program of the boating safety account for the past six years. And, also using a nonprofit grant, we initiated a new endeavor to obtain data from insurance companies.

The NTSB recommendations which have proved to be the most controversial concern mandatory demonstration of operator knowledge of safety rules and operator licensing. The Coast Guard has actively promoted boating education for many years. Whether or not licensing is the best way to ensure that boaters are educated is debatable. We do believe that a close look is necessary to determine if such a program is the very best use of limited resources, keeping in mind that licensing can be a complex and an administratively burdensome process. We support, as we always have, increased education by whatever means provided, and commend the long-standing efforts of the States, the Coast Guard Auxiliary, the U.S. Power Squadrons and others involved in educating boaters.

Shifting now to the administration of the Boating Safety Account, as directed by this committee during reauthorization of the State RBS Grant program in 1988, the Coast Guard has increased numerically its State affairs staff to provide better oversight of State recreational boating safety programs. These personnel perform oversight visits to better understand how individual State programs work, and to share their knowledge of successful programs in other States. We also use administrative funds to conduct workshops with State boating law administrators in each of the Coast Guard districts and to provide training for State personnel on administration and reporting of RBS activities.

Pursuant to this committee's recommendation in 1988, we have worked closely with the National Association of State Boating Law Administrators, or NASBLA, to significantly expand and improve the State guide, which provides a reference to the laws, regulations and guidelines that govern the administration of Federal financial assistance.

When the State RBS grant program was first enacted in 1971, its major goal was to—and I quote—"encourage greater State participation and uniformity in boating safety efforts, and particularly to permit the States to assume the greater share of boating safety education, assistance and enforcement activities," end of quote. Despite current budgetary problems, during fiscal year 1992, the States have put more than $4 of their own funds into boating safety for every dollar received in Federal funding. This is both noteworthy and commendable.

In conclusion, the National Boating Safety program is built upon cooperation between the Coast Guard, the States, the many fine boating safety and boating enthusiast organizations and the boating industry. Continuous improvements in safety programs and related activities will help achieve the best possible safety record.

At the same time, we should not lose sight of the fact that boating is primarily a form of recreation rather than transportation. Boating should always remain pleasurable as well as safe for millions of Americans who go boating each year.

Mr. Chairman, I will be happy to answer your questions.

Mr. Tauzin. Thank you very much, Admiral.

[The statement of Admiral Ecker may be found at end of hearing.]

Mr. Tauzin. Mr. Vogt and Admiral Ecker, it seems to me that your report and your testimony indicate several deficiencies that we ought to be working on. The first is that the report is based, obviously, on insufficient data. Let's explore that just for a second.

You state in your written testimony, Admiral, that you are working with the National Association of State Boating Law Administrators to increase and expand the content of accident reporting and to streamline reporting by the States. Who currently fills out an accident report when it occurs in a boating incident?

Admiral Ecker. The individual fills out a report and forwards it to the State.

Mr. Tauzin. The individual himself, the operator?

Admiral ECKER. Yes.

Mr. TAUZIN. Can you really expect that you are going to get accurate data from an operator who is drinking, that he has been drinking and therefore he had an accident?

Admiral ECKER. That is why the accident is investigated at the State level to capture some of the information that you would not normally expect to get from an individual.

We have said for a long time, relative to the statistics, that we feel we have good data relative to those that die in boating accidents; and I think that is widely accepted. The area where we have very insufficient data, as pointed out by a number of sources—and we have been aware of this for quite some time—is the accident area; and this is the area where we feel the education of accident investigators, plus the new initiative that we have of trying to obtain data from insurance companies—which, while very preliminary at this time, we feel is a very promising avenue for additional data.

Mr. TAUZIN. It is important that we talk about the differences between an accident on a highway and an accident on the water. In an accident on the highway, unless the two parties just have a small fender-bender and exchange insurance information and walk away, I think most States have a requirement for law enforcement officers to fill out a report on that accident.

On the water, that isn't true, is it?

Admiral ECKER. That is correct.

Mr. TAUZIN. On the water people can have an accident, there can be injuries, and unless there is a real serious injury or fatality where an investigation is made, these accidents either go unreported, get reported to the insurance company, or get reported by the operator. And, therefore, the information could be less than truthful; is that correct?

Admiral ECKER. The tie into the insurance claim quite often mandates that there be a police or a State boating accident investigation report. So there is a linkage there.

Mr. TAUZIN. Is there a standard reporting form that is used nationwide by accident-reporting investigators?

Admiral ECKER. We have a Coast Guard form that is required. I am not familiar with what additional forms the individual States may have.

Mr. TAUZIN. Does the Coast Guard form have on it places for information regarding the following: alcohol; operator's experience, such as to having taken safety courses or not; conditions at the accident scene; weather and water temperatures; the use of PFDs and swimming skills of the participants?

Admiral ECKER. Not all of the information is mentioned.

Mr. TAUZIN. Why not? Obviously, we know that all of that information would be very useful in research and development of recommendations. Why don't we at least require that on a standard form?

Admiral ECKER. We have revised the form over the years to capture information on those things that indicated areas of concern in the boating industry, such as alcohol.

Mr. Tauzin. Is there a requirement in the boating safety account that States must, in fact, adopt and fill out this form in order to qualify for program money?

Admiral Ecker. I am not entirely sure of the answer to that.

Mr. Tauzin. Wouldn't that be a good idea? I mean, obviously you probably correctly point out that the National Transportation Safety Board's recommendation of rewarding and not rewarding States that adopt mandated programs might backfire. Some States, without the political muscle to enforce those standards in their legislatures, would actually back away from the program. That is a good criticism.

That is a real hard nut to crack. Mr. Vogt, wouldn't it make a lot of sense to require that every State that is engaged in boating safety investigations, accidents, and education to adopt a requirement that a common, standard form for reporting the accident be utilized in that State and be returned to the Coast Guard in every incident as a condition of getting the boating safety moneys?

Mr. Vogt. Well, we certainly think that would be a major step in the right direction, and we understand that the Coast Guard has some difficulties in the grant area. But in authorizing the funds every year, one of the three provisions the States have to meet in order to receive the Federal funds administered by the Coast Guard, has to do with information sources and the adequacy of those information sources.

So it was our thought that some consideration could be given to a requirement, as you point out, that there be uniformity and more complete reporting. Because without that, as we all know, it is very difficult to do an accurate analysis.

Mr. Tauzin. It is even more important than that. I mean, let's face political facts. If we were to suddenly mandate on the States that they had to pass licensing requirements, they had to pass all kinds of testing laws, they had to do all kinds of enforcement on alcohol, they had to do all kinds of police enforcement on PFDs, all of the things that we know would save lives, the States would have an incredibly difficult time getting their legislatures to adopt them. Admiral Ecker is probably correct when he says that a lot of States would back out of the program. We would lose a lot of good boating safety programs throughout the country. That is political reality.

Recreational boaters don't like to be regulated. And recreational boaters, unfortunately, normally have packed ice chests with beer on the way out. It is just a fact of life, and it is true, and it is a problem for us across the country.

If we can't get a political will to do something about it, if people are going to back out of the program, if the Federal Government should get too heavy handed in this area, then it seems to me we are left with at least getting a very strong reporting system in on what causes accidents out there. It's not just for the sake of us getting that information, but for that information to become public. Therefore, public awareness grows about what causes deaths, fatalities, and injuries on the water, and why people are losing their children and families in boating accidents. And perhaps as that public awareness grows, the strength of the political will will increase, and we will get stronger and better safety programs in our States.

It seems to me, Admiral Ecker, that we ought to have a standard form that gets you all the information as often as you can possibly get it. This is one area where the boating funds can be used to encourage States to adopt that kind of a standard reporting form and to publicize the results on an annual basis.

As I said before, we can't make States do things that are terribly politically unpopular, but we can at least get information out to people.

Admiral ECKER. True. The main deterrence still requires the individual to submit the form, and that is the starting point, the main place where it doesn't happen.

Mr. TAUZIN. I would like to see that form. I asked staff to show me one, and I haven't seen one yet. If you have a copy of it——

Admiral ECKER. I don't have one with me, sir.

Mr. TAUZIN. Would you forward it to us? We would be very interested in what is required on it and what is not required on it.

[The information may be found at end of hearing.]

Mr. TAUZIN. If Mr. Vogt is correct that a lot of the information is not coming to us, then perhaps we ought to look at the form to see if it is inadequate. If it is inadequate, we will need to get it up to snuff. Then, once it is up to snuff, once it is adequate in its requests, we can make sure that more and more States use it and report back to us.

But not just to us. I would really strongly suggest, and one of the program guidelines in the safety boating program ought to be, a public release of the information in each State as to what is going on on the water. Then, more and more families who go out on the water will be aware of what is happening to other families who make mistakes not wearing safety devices, not operating with proper training, and operating boats with alcohol aboard. Then, they can make some wise decisions for their own families when they see that report.

Admiral ECKER. We publish annual statistics on boating accidents, as you might imagine, and we have a great deal of data there that is distributed quite widely to the boating administrators and other folks who have interest——

Mr. TAUZIN. Admiral, I know we do. However, but I keep hearing and I read in both your testimonies that this data is terribly insufficient. If the purpose of reporting the data is to impress people, having data that is terribly insufficient is going to make a weaker impression.

The stronger the data, the stronger the impression, is the point I am making. I think it is an area that we can do a lot of good work if we continue to work together on it.

Admiral ECKER. I have been provided a copy of the report. I will be happy to leave it for you.

Mr. TAUZIN. Thank you.

[The information may be found at end of hearing.]

Mr. TAUZIN. I want to yield to my Ranking Minority Member, Mr. Coble for questions.

Mr. COBLE. Thank you, gentlemen, for being with us. I am going to probably duplicate and reiterate much of what the Chairman has said to you.

Mr. Vogt, you indicated that your study states that many of the accident reports you reviewed lacked critical information. And as the Chairman said, it probably violates the rules of common sense to believe that an operator who has consumed five beers in the last hour and a half and then has an accident will come forward and admit that in a report.

Give us four or five examples, Mr. Vogt, of what you would consider sufficient for a complete accident report, including this critical information that is sorely missing in many instances.

Mr. VOGT. Well, Congressman, I think you have put your finger on the problem there. What we would like to see in a complete report would be probably more than we are going to get from a guy with five beers, who has just run into somebody else. What we really want are things such as PFD usage, water temperature, some of the details about the collision and the power of the boats involved.

You know, we find that some 73 percent of the accidents involving power boats involve people falling overboard and drowning. So the type of accident and whether people are wearing PFDs or have them available is the kind of information that is very important to us. You can just go through a whole host of things that would be relevant to an accident analysis. But at the very least, we want information on alcohol involvement, on PFD involvement, and on the types of the vessels involved, and some background information on the operators.

Mr. COBLE. Now, most of your recommendations, Mr. Vogt, appear to suggest improvements in State boating laws, rather than the establishment or formulating of Federal boating safety laws. Do you think that the Congress should enact national boating safety laws?

Mr. VOGT. We have made no recommendations for national standards. All of our recommendations are directed to the States, to private boating organizations, and to the Coast Guard. So we do not see a Federal law as the answer to these problems.

Boating conditions in each State vary tremendously, and when we prepared for this study, we tried to select a cross-section of States having different boating requirements.

We are not trying to tell the States or the Coast Guard, for that matter, how to do it; we are simply recommending that they turn their attention to it and establish some programs that will address the problem. We think the States are the ones in the best position to do that, and that is why we have made our recommendations that way.

Mr. COBLE. And I don't disagree with that.

Admiral, in Mr. Vogt's statement, he indicated—and not critically against the Coast Guard—but he indicated, in many instances, the Coast Guard failed to obtain adequate information from the various States and the various parties involved; and I think in response to the Chairman's questioning, we can conclude probably that that results because of lack of standardization or lack of uniformity in the reporting process.

Do you concur with that?

Admiral ECKER. That is part of it; and it is also, as I said before, getting the individuals to submit the reports of the accidents, and that is the shortfall area. It has been that way for a long time.

I think that we are making some efforts. I certainly can't promise you that we will get anywhere close to getting the data from accidents that we do from deaths, but I think that some of the initiatives that have been started, plus the interaction of State Boating Law Administrators with our Coast Guard people, that the closer association that we have had, to training that we are doing with investigators, will lead to some of the results that the NTSB would like to see, as indicated in their report.

Mr. COBLE. I have heard it said by many advocates that we should require boaters to undergo the same sort of examinations that we impose upon operators of motor vehicles. Do you know of any States that do this?

Admiral ECKER. Not to that degree. They have other forms of training requirements, but as far as I know, there are not any States that are requiring actual tests on the water of individuals in their boats.

Mr. COBLE. I thank you gentlemen for being with us this morning.

Thank you, Mr. Chairman.

Mr. TAUZIN. The Chair recognizes Mr. Lancaster.

Mr. LANCASTER. Thank you, Mr. Chairman and thank you, gentlemen.

Following up on Mr. Coble's questions, Admiral, you said in your testimony that it was debatable whether licensing was the best tool. I assume since it is debatable that there are other options that are being debated. I wonder if you could share those with us.

What other tools might you use, other than licensure?

Admiral ECKER. We have supported and promoted education of boaters as the prime means of getting people to understand the conditions in which they are operating, understand the rules that apply to them and other vessels on the waterways.

Mr. LANCASTER. But isn't licensure a part of that education process, if you have to learn in order to be licensed?

Admiral ECKER. I would view licensing as the next graduated step beyond the education program, as a validation of that education.

Mr. LANCASTER. Oh, so that really is the only other option to licensure is education, without testing to determine whether or not you have learned anything?

Admiral ECKER. Yes, sir.

Mr. LANCASTER. Now, the Chairman has mentioned that with motor vehicle accidents, we have a very elaborate reporting system with, except in very minor cases, a law enforcement person always coming to the scene to complete an investigation and to file a report. Has any analysis been done of the manpower requirements that would have to be paid for if we went to that kind of standard for boating accidents; and is that manpower available now, either through State enforcement personnel or Coast Guard?

Admiral ECKER. I am not aware of any particular study that made that type of a comparison; and while I will not speak for the States, my guess is that they will tell you that they do not have the manpower and the resources to undertake a program of that magnitude.

Mr. LANCASTER. Now, since the boat safety account in 1984 was set up, $208,000 has been allocated to the States. Is there any sort of audit, either on programmatic success or, for that matter, simply on the fiscal responsibility for those funds being done by anyone? Do we know how those funds are being used? Are they being used effectively? Is there any sort of record of success, and is that something that the Coast Guard either needs greater authority to do or greater resources to do?

Admiral ECKER. We provide the oversight of the Recreational Boating Safety program out of Coast Guard Headquarters for the activities of the States. The rules by which they expend the funds are quite clear in the statute. We audit them to see that they are expending funds in accordance with the statute. We disallow those funds that are spent inappropriately, and we exercise quite close oversight.

I mentioned in my testimony that we brought aboard additional people into our office. That was primarily allocated to oversight of State activities. This is done very closely throughout the year, a great deal of interaction between the States and the Coast Guard. We interact with them in terms of seminars and teaching and going over the way that the funds are expended.

So the answer in a nutshell is, yes, there is a great deal of oversight.

Mr. LANCASTER. But everything that you have just described is a financial audit, rather than a programmatic audit. As a part of your oversight role, do you, in fact, audit the success of these programs? Are these, you know, you are auditing whether or not every block has been checked, but the question is, are these funds being used effectively? Are they, in fact, educating the public on boater safety?

Admiral ECKER. The main feedback that I would say, in terms of effectiveness, you have to look at the death and the accident rate and some of the reasons for it. Analysis of that will tell you whether or not the emphasis that the State is giving in expending their particular funds has any effectiveness in terms of reducing the accident and death rates. We will do that on a spot basis, but it is not done across the board.

Mr. LANCASTER. And if you find from those statistics that a State is doing a particularly bad job, that somehow those moneys are just flowing through somebody's fingers, and while they are not technically in violation of the law by misspending the money, they simply aren't doing it very well.

Do you have any tools to see that a State improves its program so that the funds are being used effectively, not just technically correctly?

Admiral ECKER. We will sit down with the boating law administrators at our conferences and our meetings and go over those particular results and how the funds are spent to see whether they have some of the same concerns that we do. And the dialogs there are related to trying to improve on those aspects of the record that are not so good.

Mr. **Lancaster**. But it is purely persuasive, just "jawboning," as we would say, rather than any sort of sanctions that are included in the law that would give you the option to require success and effectiveness?

Admiral **Ecker**. Yes, the interaction is primarily jawboning. In the last resort, we have the option to suspend payment on Federal funding.

Mr. **Tauzin**. Will the gentleman yield? We have about four and a half minutes. I think we are going to have to suspend at this time. We have a vote on the Floor. Thank you, Mr. Lancaster. I will dismiss the panel, but if you are not required to be somewhere else, please stick around in case some other Members return and have a question.

But, we will start off with the next panel when the committee resumes its hearing.

The committee stands in recess.

[Recess.]

Mr. **Tauzin**. The hearing will please come back to order. We will invite our second panel to take their positions at the table, and I would like to introduce them.

First of all, testifying will be Mr. Jim French, President of the National Association of State Boating Law Administrators, along with Lieutenant Colonel Charlie Clark. I think Jim will testify first.

And as I pointed out, Mike Sciulla, Vice President of the Boat Owners Association of the United States; Bill Ladd, President of the National Water Safety Congress; and Phil Keeter, Executive Director of the Marine Retailers Association of America will complete the panel.

STATEMENTS OF JIM FRENCH, PRESIDENT, NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS; LIEUTENANT COLONEL CHARLIE CLARK, STATE OF LOUISIANA BOATING LAW ADMINISTRATOR; MIKE SCIULLA, VICE PRESIDENT, BOAT OWNERS ASSOCIATION OF THE UNITED STATES; WILLIAM R. LADD, PRESIDENT, NATIONAL WATER SAFETY CONGRESS; AND PHIL KEETER, EXECUTIVE DIRECTOR, MARINE RETAILERS ASSOCIATION OF AMERICA

Mr. **Tauzin**. We will start with Mr. Jim French.

Mr. French, your written testimony is a part of the record, and what we would ask you all to do is to talk to us, summarize your statements to us by just giving us, if you will, the meat and potatoes of what you want to tell us today.

Mr. French?

STATEMENT OF JIM FRENCH

Mr. **French**. Mr. Chairman, I am very pleased to be here to testify today on behalf of my State of Washington and my association, the National Association of State Boating Law Administrators.

First, let me say that our association is proud of the excellent partnership and the accomplishments that we share with the United States Coast Guard. Examples of our successful working relationship are depicted in our publication, Boating Safety Dollars

At Work. Both of our organizations are committed to make the boating safety program the shining example of a successful State and Federal partnership.

Secondly, we applaud the National Transportation Safety Board for undertaking this study. Unfortunately, studies of this quality are uncommon in boating. This study and its recommendations are going to provide critical policy positions for national debate, and the study is going to set the agenda for State legislatures, State agencies, and perhaps Members of Congress for years to come. Interestingly, the report was published at a time when the Coast Guard fatality statistics indicate boating is at its safest level ever. Some people find contradictions between the improving safety statistics for boating and the seriousness of the NTSB study recommendations, but we don't.

The statistics show that there are still lives to be saved. The fact that 816 people perished last year and the over 300,000 that were injured while boating point out that there are some key chronic problems, safety problems, that are still not adequately addressed. These are the most difficult of problems and require strong measures and the funds to carry them out. They include, one, the unacceptable number of recreational boaters who are simply uneducated regarding their responsibilities; two, the threat of alcohol and drug abuse on our waterways; and three, the failure to protect those at risk from drowning, following a "small craft capsizing," a common occurrence in recreational boating.

NASBLA's executive board agrees with the recommendations for chemical testing, requirement for PFDs on youth. We want to work with the United States Coast Guard on minimum recreational boating standards, and our association, in fact, has been an advocate of many of these measures for years. We have adopted models acts and resolutions on many of these issues.

I would like to submit copies of our association's policy statements to be entered with my testimony.

We are sensitive to the concerns of the industry and some boating advocacy groups that stronger measures could prove unproductive, be very costly and chase away people from the sport. We don't want that to happen, and we are also concerned. But we sincerely believe that measures like mandatory education, for example, will be beneficial to all. They will prevent accidents and they will help prepare boaters for increasing congestion on our waterways.

In states where surveys have been conducted on safety issues we know that the majority of boaters do support measures like mandatory education.

Our association is currently working on a model act for operator licensing, which we are hoping will soon be available for States to examine.

The U.S. Coast Guard has made excellent progress in the last few years in improving the accident reporting system, but we still have a long way to go. We don't yet have the level of quality data that is required to produce a study like NTSB's.

We support making improvements, and we even go further by encouraging the United States Coast Guard themselves to conduct periodic fatality studies and analyses of the caliber of NTSB studies.

And finally, we support developing State plans for PFD use.

We support State programs aimed at curbing alcohol abuse, but we disagree with the recommendation that the U.S. Coast Guard tie our State funding to the effectiveness of these programs. We can't support an effort at the Federal level to withhold boating safety dollars as a lever to force States to comply with some of these measures. As an end result, we feel it would be very divisive and, in our opinion, would be detrimental to the safety and welfare of the boating population.

With that one stipulation, we otherwise support the recommendations to Federal and State governments and to our association, and we are anxious to get started on the challenges. Our association feels it is important to point out that the best intentions of the States to implement all or part of these recommendations won't be realized without adequate funding.

Finally, our association wishes to offer some suggestions for improvement of the effectiveness of the Aquatic Resource Trust Fund.

As the Chairman is well aware, the boating safety account must go through an annual appropriation process. For fiscal year 1993, only $65.5 million was appropriated by the Federal Government of the $70 million authorized with $5.5 million rolling over to the sport fish account that wasn't available for safe boating. To remedy this inadvertent loss of funds, we would like to see the boating safety account afforded permanent appropriation, the same as the sport fish restoration account. It seems logical, since both the accounts are funded from the Aquatic Resource Trust Fund.

We feel that a precedent has already been set in the Clean Vessel Act by allowing for inter-departmental transfer of funds without affecting the scoring of the United States Coast Guard's budget.

We would also like to see a fair share of the total trust fund dollars go to the boating safety account in a manner equitable to all of those programs that participate in the fund.

It is important to keep in mind that the Transportation Safety Board's recommendations impact most heavily on the States, and we recommend that any additional funding above the current level be authorized for the States. Our association would be happy to work with the subcommittee to review the trust fund recommendations and to begin work on the Safety Board's study immediately.

That concludes my testimony.

Mr. TAUZIN. Thank you very much, Mr. French.

Just as a point of reference, our committee has been actively working with Ways and Means to accomplish that result. We have been given some assurances from Ways and Means that they intend to help us accomplish it. We will stay on it.

[The statement of Mr. French may be found at end of hearing.]

Mr. TAUZIN. We are pleased to welcome one of the guys that works on the State level, particularly from my home State, Lieutenant Colonel Charlie Clark, the State of Louisiana Boating Law Administrator.

Charlie, welcome. We are interested to hear your views of how this thing really plays out on a local level.

STATEMENT OF LIEUTENANT COLONEL CHARLIE CLARK

Mr. Clark. Thank you, Mr. Chairman. I am a boating law administrator from Louisiana.

What I would like to do is simply give you a thumbnail sketch of the program that we have in Louisiana—some of the things that have helped us, some of the things that we perceive will help us and how the NTSB study might impact our program.

As you know, our State is a relatively large State in boating. We have a wealth of recreational opportunity that exists there, with over 300,000 registered boats and boating public participation of over 2 million people.

What has happened over the years, of course, is boating in our State—as in many States, we have lost the platform of boating wherein the people were boating to go fishing and to go to their camp and those things. We have a lot of boating in the State right now that strictly is boating, congregated boating around certain bodies of water, very narrow bodies of water in our river systems, which draw the danger.

And, of course, the advent of the barroom on the waterways has caused many of us in law enforcement much agony.

I can tell you a little bit about our BWI program there, and if I can tell you one thing in the State of Louisiana that has impacted our ability to reduce boating fatalities, it was the passage of the 1988 regulation which enacted the 0.10 percent blood alcohol concentration; and also the implied consent which allowed us to test, and denial of that testing would in fact revoke privileges.

One particular incident, and if you will turn to the back of my testimony, I included in here, a reduction graph of the fatalities in Louisiana; and you will notice that since 1988 and the enactment of that regulation, we have reduced fatalities by 60 percent in our State. This one particular event being publicized—along, of course, with the $500 first-offense fine that goes with it, and the cumulative offense that can, in fact, play against your driving record for multiple offenders—has done wonders in the reduction of fatalities.

There is much more to do.

Mr. Chairman, a while ago I heard some of the comments that were made by the committee Members, and as far as DWI on the water and what it takes. I would like to tell you that unlike working the highway, DWI, working the water is much more technical.

Evidentiary units that have to be mobile, the Intox 5,000 being in the State of Louisiana, or body fluid checks that have to be made available for court presentation make it very, very difficult to simply go out and get on the water on a particular day and work it. We actually work it with a five-man team approach wherein you go on the water—we have a mobile van that precedes us to a particular area. We go on the water, we identify the DWI subject, and it has to be a probable cause stop, unlike the Coast Guard with the behavioral standard mechanism that they can use, or the safety check that simply happens, and then you get into the DWI aspect. That cannot happen. It has to be a probable-cause stop.

This, in itself, says that if we arrest someone, now we are responsible for a boat, we have to have a trailer or a slide-back wrecker to be able to transport that particular boat. We have to remove the individual, we have to have a transport unit and our own evidentiary machine for evidence collection—very, very difficult.

Also keep in mind with the limited resources that if I put that five-man team in action, that means I am working one exclusive area and have left other areas exposed.

One thing about boating, boats are on trailers and they are very mobile. You actually chase the problem around. You have to identify it, find it and chase it—very, very expensive to be able to work that. I can tell you that one-half of the money that we spend in our boating safety allocation goes to DWI law enforcement.

When you talk about the boat, the training that exists that has to go into it, the evidentiary mechanisms, it is a very expensive program. However, it is one of the most effective, I believe, in the Nation.

The next thing I would like to talk to you about is the PFD usage. Our State, as some States have, we have the 12-and-under rule, which simply states that all children 12 and under, while on a boat, 26 foot and less underway, has to wear a PFD. I can tell you that that was enacted—I believe that you were sitting in our State legislature then—and we have only lost five children since 1971. I can tell you that one died from hypothermia and the other four would have, in fact, been in violation of the law, simply because they weren't wearing it.

I can give you lots of episodes of children that we recover, and included in my minutes is something that you would find extraordinary: three adults drowning with one child that had one on and lived.

The operator license and mandatory education program, you will find to be very controversial throughout this Nation. It will draw lines between educators, law enforcement and industry, I believe. Through a survey in our State, 81 percent of our public wanted mandatory education and they wanted it now; 68 percent of that survey showed that people wanted an operator licensing within the State. As the boating law administrator, I think I would be supporting the will of the people of Louisiana by introducing that in legislation—and have and lost, and will introduce it again. You can understand the perils I run into there.

Mr. TAUZIN. I have been there.

Mr. CLARK. The boating accident reporting, one of the things, I think, that needs to be brought out, the limited resources we have, Mr. Chairman; it is very, very difficult. When you start talking about the highway, 600 troopers in the State and only 200 game wardens and the remoteness of the areas that we reach, it is very, very difficult to be there.

In the interest of time, I think I need to hurry here. But what I would like to say, I would like to tell you that the priority can be set through Congress as to the programs and the size and the effectiveness in the States, and it has to be done through funding.

I know you supported us; I know I am preaching to the choir, and we appreciate you. In closing, what I would like to tell you is I would like to thank you personally and the Members of this committee for what you have done for us, along with the full committee and the excellent staff that you all have working for you, in the passage of the Clean Vessel Act last year in the first permanent appropriations.

Thank you.

Mr. TAUZIN. Thanks, Charlie. I want to interrupt at this point and tell you how deeply impressed we all are with the statistical analysis of your program. It is one thing to say it looks like the program is working, but when you see the number of deaths that have been avoided, and the effectiveness of the program in saving lives, it says it all, Charlie. Great job.

[The statement of Lt. Col. Clark may be found at end of hearing.]

Mr. TAUZIN. We are now going to welcome Mr. Mike Sciulla.

Mike, again, your testimony is public record if you would summarize for us.

STATEMENT OF MICHAEL SCIULLA

Mr. SCIULLA. Good morning, Mr. Chairman. I am Michael Sciulla, Vice President of BOAT/U.S., an organization of 455,000 boat owners.

Mr. Chairman, the National Transportation Safety Board has done a remarkable job over the years in focusing attention on boating safety problems. However, we urge you and the Members of the committee to look beyond the headlines. While it is literally true that boating accounts for the second largest number of transportation-related deaths, we don't really think it compares to the 43,000 who died as motorists in 1991.

As a matter of fact, Mr. Chairman, Congress should take much of the credit for the improved boating safety efforts over the years, as well as the countless thousands of volunteers and professionals that have made the boating safety record really something quite remarkable. The number of fatalities has dropped from 1,754 back in 1973 to 816 in 1992; that is a 53 percent decline.

To put that into perspective, Mr. Chairman, 1,700 people died last year while swimming; 600 people died at home in the pool or a bathtub. In fact, 766 were felled when they were struck by a falling object. Nonetheless, we are convinced that the number of fatalities, injuries and accidents can be further reduced.

We support seven of the sixteen recommendations made by the Board on alcohol and recreational boating. We also support the five recommendations that would encourage children to wear life jackets. We also endorse the recommendation that the Coast Guard use its biennial memorandum of understanding with the States to encourage the States to develop plans to increase life jacket use among both children and adults.

We believe that the Board's recommendation that the Coast Guard implement a fatal accident reporting system is absolutely essential. However, the true extent of the boating safety problem will not be known until a better job is done by the States in reporting accidents and injuries. The 3 to 5 percent of boating accidents that are included by the Coast Guard in its annual statistical report significantly understates the extent of the problem.

What can be done to improve boating safety, Mr. Chairman? First, we believe the Coast Guard should be able to do more to promote boating safety, especially as it has received nearly $250 million from the Aquatic Resources Trust Fund over the past 10 years. As you know, Mr. Chairman, the funds in the boating account are split equally between the Coast Guard and the States. However, the Board reports that over the last five years the Coast Guard spent approximately $25 million a year on boating safety; the States, $109 million a year. It is clear to us that the Congress intended the Coast Guard to spend the fuel tax dollars paid by boaters and fishermen and deposited into the fund not on broad Coast Guard operations, which generally benefit all mariners, but on boating safety and the Coast Guard Auxiliary. In the nearly 10 years that the Coast Guard has been receiving these funds, we have seen little indication that the trust fund moneys received by the Coast Guard have been used to do anything but maintain its boating safety program at one-half the level of what it was in 1980.

We believe, Mr. Chairman, it is time for a comprehensive report from the Coast Guard to the Congress on where and how this money has been spent and on what has been accomplished.

Second, the Coast Guard should be directed to do whatever it can to encourage the States and encourage boaters to take boating safety courses. Mr. Chairman, about 10 years ago the BOAT/U.S. Foundation for Boating safety, through the contributions of BOAT/U.S. members, set up a data base. There are 15,000 free boating safety courses in that data base. For the last few years, over 70,000 people across the country each year have called 800-336-B-O-A-T, to get information on free boating safety courses. We publicize that number as best we can, and many in the industry and throughout the community, as well as the Coast Guard, publicize that number.

But there are a whole lot of things that the Coast Guard is doing that ends up in the hands, or is seen on TV, or heard on the radio, by boaters that could include that 800 number. We urge you to do what you can to encourage the Coast Guard to give some publicity to that phone number.

Finally, Mr. Chairman, as you have heard, 80 percent of boating fatalities are drownings. But the statistics show that only 30 percent of the people out there are wearing life jackets. There is a reason for that, Mr. Chairman. The vast majority of boaters do not wear them because they are bulky and uncomfortable. Over the last two years, the BOAT/U.S. Foundation has conducted an indepth comprehensive study and survey on inflatable life jacket technology.

Mr. Chairman, I would like to take a second to show you some of this. David, would you stand up? Mr. Chairman, this is a Type 1 life jacket. It has 22 pounds of inherent buoyancy. If you go over into the water in your boat, this life jacket will turn you around face up and it will save your life. It costs about $30.

Thank you.

Becky has a Type 2 device. You can buy this as cheap as $5. This has 11 pounds of inherent buoyancy. If you go overboard in this device, it might turn you face upwards.

Thank you, Becky.

Beth has a Type 3 device. If you were out hunting or if you were out fishing, this is very popular out on the waters. If you go over in this device, it won't turn you face up, but it is very comfortable, much more comfortable. As you can see, it is much sportier looking than the other two devices. This costs approximately $40.

Thank you, Beth.

Now, Ruth has inflatable technology on. As you can see, this is years ahead of these other devices. It is lightweight, it is comfortable, you practically don't even know you have it on. When this device is blown up, it has 32 pounds of inherent buoyancy.

Ruth?

If you go over in this device, it will turn you, face over, and this device will save your life. Unfortunately, Mr. Chairman, this device now on the market costs somewhere around $180 to $190. It is not yet approved by the Coast Guard.

And, as well, the device that I have on me, this is a belt pack. If I fall overboard in a boat, I don't have to touch it; this will automatically inflate and expand, and I have to put it on over my head. This device costs about $75.

Neither of these two devices, as I said, has been approved by the Coast Guard, but the studies are in; we urge this committee and you, Mr. Chairman, to do what you can to get these devices approved by the Coast Guard this year, because if you get these approved, the price will come down and more people will wear these, Mr. Chairman, than will wear any of these other devices.

Thank you.

Mr. TAUZIN. Thank you, Mike. My apologies that more Members weren't here to see that demonstration. I think it was very excellent. Thank you, sir.

[The statement of Mr. Sciulla may be found at end of hearing.]

Mr. TAUZIN. Mr. William Ladd, President of the National Water Safety Congress.

STATEMENT OF WILLIAM R. LADD

Mr. LADD. Good morning, Mr. Chairman. It is a pleasure to be here representing the National Water Safety Congress.

Alcohol's effects can be very subtle and at low levels you may not know your ability has been reduced. Alcohol slows the processing of information. Alcohol's effects are magnified on the water due to other stressors—motion, noise, vibration and the fatigue they cause. As faster boats come on the scene and the waters become more crowded, the problem increases. As the Chairman of Safe Boating Week for next year also, I plan a single-issue campaign on the hazards of alcohol for 1994.

The National Water Safety Congress strongly supports the increased efforts to remove impaired operators from the water through both enforcement and education.

Coast Guard statistics for the past 20 years indicate that more than 80 percent of those who die in boating accidents drown. These same statistics also show that 80 percent did not use a PFD. Once again, as the national Chairman for Safe Boating Week, I plan a single-issue campaign in 1995 to address those issues on PFDs.

The Water Safety Congress has also passed resolutions strongly supporting the requirement for the use of wearable PFDs on all boats, and supports the wearing of PFDs by all children less than 12 years of age.

I found this demonstration very interesting, because we also recommend further research into more wearable PFDs, particularly for hot climates; that can be a real problem.

As a result of the Coast Guard roles and mission study of 1982, the States were given the primary responsibility for boating safety education and enforcement. The States currently provide hundreds of thousands of boating courses a year. The U.S. Power Squadrons and Coast Guard Auxiliary have been giving boating courses for 78 and 53 years respectively. Still, the current indications are that less than 10 percent of the boaters have taken a boating course.

The National Water Safety Congress strongly recommends that States implement a system requiring a minimum level of knowledge be demonstrated by boaters before they go on the water. And I don't want to get into whether that is mandatory education or licensing. There is a semantic argument in there somewhere.

The current accident reporting system relies on the boat operator to report accidents. This results in a great number of unknowns in the categories; and the Coast Guard reports receiving only a small fraction of nonfatal reports. Many individual insurance companies receive more accident claims than all the accident reports received by the Coast Guard, and the recent Red Cross survey shows 236,000-plus reportable accidents and 413,000-plus nonreportable accidents. During the same period of time, the Coast Guard received 6,060 accidents.

The Red Cross survey indicates boat usage is down considerably from the Coast Guard survey conducted in 1976. It shows boat usage is down from about 150 hours per boater, down to about 106 hours. Using this utilization rate, it actually shows the accident fatality rate up from 0.14 fatalities per million passenger hours up to 0.18. That is something that might want to be looked at. The current fatality rate is based on estimated number of recreational boats and not on the reported number of numbered boats, or based on utilization; I think that is a problem.

The National Water Safety Congress strongly recommends that a research study, survey or other actions be taken to determine accident profiles and numbers. The Red Cross survey also showed that the accident categories, as reported by the Coast Guard and by the Red Cross survey, were different. Actions also need to be taken to inform the public of the requirement for reporting accidents. And as the Coast Guard mentioned earlier, they are working with insurance companies.

I think one of the problems in getting accident reports is so few of the public know of the requirement to report them to start with, because of low education.

And last, the Federal financial assistance program provided to the States for boating safety comes from the Wallop/Breaux fund. The fund receives money from the motor boat fuel tax, which could be considered a user fee, import duties on recreational boats and excise taxes on fishing equipment. When established, it was contemplated that boating safety would receive about 70 percent of the fuel tax. Because of changes in the tax rate and fuel usage and other matters, it appears that boating only receives about 45 percent of the funds.

The States have assumed the lead role in boating education, enforcement, search and rescue; they operate the numbering and titling programs. From 1985 to 1991, the States provided $749 million or 81 percent of the boating safety funds, while the Federal assistance was only $176 million or 19 percent. The Sport Fish Restoration Account receives more money from the boater fuel tax than the Boating Safety Account. It is guaranteed annual funding and is a 25/75 match; and we think that is wrong.

Much needs to be done in boating safety enforcement—education, PFD awareness and accident reporting. A reallocation of funding to the trust fund to provide a more equitable distribution of motor boat fuel taxes or user fees and guaranteed annual funding to the States would make a major impact on the program.

The National Water Safety Congress also recommends the Coast Guard, the Army Corps of Engineers, the Park Service, Forest Service and other agencies that have a responsibility on the water emphasize their boating safety programs.

Thank you, sir.

Mr. TAUZIN. Thank you, Mr. Ladd.

[The statement of Mr. Ladd may be found at end of hearing.]

Mr. TAUZIN. Our final witness is Mr. Phil Keeter, the Executive Director of the Marine Retailers Association of America.

Mr. Keeter.

STATEMENT OF PHIL KEETER

Mr. KEETER. Thank you, Mr. Chairman. Let me diverge from my testimony here for a moment to tell you, had I known Mike was going to put on that excellent demonstration, my staff would have provided a tub for him to jump in, so we could see whether this belt inflated or not. So Mr. Chairman, I am inviting you to my boat this weekend so we can see if that works.

Mr. TAUZIN. I don't want to get into a discussion of who is bathing with whom.

Mr. KEETER. We greatly appreciate the opportunity to present testimony on recreational boating safety and, more specifically, on the recently released safety study conducted by the National Transportation Safety Board. We commend your leadership and interest of the subcommittee in holding this hearing today. I have submitted written testimony and ask that it be accepted for the record.

As you know, the NTSB study was an independent study of boating safety and the effectiveness of the programs to promote safety on our waters. We commend the NTSB for their independent analysis and substantiation of many on board and safety concerns that have long been identified and addressed by boating organizations, including the industry and all of those involved in promoting safety. We disagree, however, with the NTSB report that the number of recreational boating fatalities has remained substantial.

We strongly believe that our waters have never been more safe. The fatality rate, as has been quoted to you this morning a number of times, has steadily declined to an all-time low of 816 people in 1992.

We do agree with the intent of the NTSB report that additional work needs to be done to improve our safety record. There is obviously much controversy among organizations as to how this can be achieved, but we think that recreational boating has truly achieved an outstanding record.

The NTSB Chairman brought up the fact this morning that there is a lack of quantifiable and reportable information on boating accidents. I find it very difficult to adequately analyze boating safety with poor data.

The Coast Guard reports that only a small fraction of the nonfatal boating accidents were reported to the Coast Guard or to local or State organizations; therefore, it cannot be assumed that accidents have occurred in proportion to those reported statistics. We believe, without adequate statistics, that it is questionable or even impossible to develop a national mandate for comprehensive changes to improve boating safety. We, therefore, would ask Congress to authorize a study of ways to improve accident reporting by the Coast Guard.

In addition, we ask Congress to increase money available from the Coast Guard Boating Safety Grant program to fund more private research for nonprofit boating safety organizations on accident and reporting projects. We believe when everybody understands the scope of this problem, if there is in fact a problem, then we can move ahead.

The NTSB also made certain recommendations regarding alcohol abuse on the water. Despite the problems of accident reporting and the data accumulation that I have just talked about, MRAA strongly supports the recommendation of the NTSB that stronger BWI or alcohol abuse laws must be written and enforced in all 50 States. We are committed, as everyone else is, to getting the drunks off the water.

There is a strong correlation between alcohol usage and boating accidents. MRAA believes boating safety dollars from the Wallop-Breaux Trust Fund should be withheld as a prod to States that do not have enforceable BWI laws with a blood alcohol content standard of 0.08, such as in California. We believe this stricter 0.08 standard, compared to the 0.10 standard used for automobiles, is needed because of the added stressors that happen when you are on the water.

MRAA also commends the NTSB for recommending State legislation requiring children to wear life jackets. We have a deep concern for the safety of babies and infants who are generally not able to take care of themselves. Many parents and boat operators recognize this, too, and are requiring children to wear life jackets while on the boat, or even on the dock.

The automobile industry has developed a number of safety restraints and restrictions for children. We think the boating industry needs to face a similar challenge.

Questions as to what the best threshold-or should there be a threshold—based on age or weight, we think need to be addressed in more detail. We recommend that the Coast Guard be given the mandate to develop product standards and recommendations to Congress in this regard.

The NTSB also found that there is insufficient understanding of rules of the road and a general inability to operate a boat properly. The boat industry and MRAA have been working diligently to improve boater safety. Some of the products of the boating industry and MRAA have undertaken—Mike spoke about his 800 number—MRAA developed and mailed over 275,000 of these posters depicting Mike's number.

We, through MRAA's Washington representative, were the Chair of National Safe Boating Week for 1992 and 1993. We sent over 400,000 of these posters to be distributed in public places.

The Coast Guard has provided boating safety grants for stickers displaying the Boating Education and Boating Safety Hotlines to be given to every boat dealer to be placed on every boat, every invoice, or whatever.

MRAA produces a safety supplement that goes to its members. Over 100,000 of these safety supplements are mailed to dealers every year.

So in view of the facts that some of these things are happening, and because of the vast improvements we think are happening in boating safety, and the results of the many volunteers that work with the industry, we strongly disagree with the recommendation of the National Transportation Safety Board that mandatory operator licensing of recreational boaters is the next step to improve safety. We believe that it is a solution looking for a problem.

It is our opinion a license or permit cannot ensure safety improvements will occur. What we are sure about is that new State or Federal Governmental bureaucracies will be created to administer a licensing program, and a great number of employees will be needed to push paperwork. In this particular administration, I don't believe that is what we want.

A boat licensing program is not a simple undertaking; that has been brought up a number of times this morning. We believe boating safety would be better served and we would get a bigger bang for our hard-earned buck by spending more time and money on the water and supporting the vast education efforts of the Auxiliary and Power Squadrons.

Existing laws should be fully enforced by increasing the on-water presence of fully trained and equipped law enforcement officers, and BWI laws should be strengthened and enacted in all 50 States. With a better-educated boating public, better-trained law enforcement officials, and enforceable BWI laws, MRAA strongly believes that the waters of America can remain free and safe for all to enjoy and boating fatalities will continue to fall.

Thank you, Mr. Chairman.

Mr. TAUZIN. Thank you, Mr. Keeter.

[The statement of Mr. Keeter may be found at end of hearing.]

Mr. TAUZIN. When my sons moved from Louisiana to Virginia, a remarkable thing happened. The insurance I paid for them to drive dropped about $2,000. When I tell that to people in Louisiana, they are shocked. It cost about $2,900 to insure my teenage son in Louisiana; but, it cost about $900 here in Virginia. I recently learned one of the reasons why.

My son was guilty of a moving infraction, and I had to go to court with him as a juvenile. The court was very generous, as they were with all the juveniles that day, giving first-time-offenders a break. The break was that they were going to reduce the charge and actually expunge their record if the juvenile and his or her parent agreed to go to nine hours of driving school for three nights, three hours a night.

My son and I signed up for it. We went for three nights, three hours a night. At the conclusion of the school, after seeing many films, hearing many lectures, and having many discussions, we actually took a little test to see what we had learned. And I must confess to you, I learned a lot.

My son learned an awful lot, and I think he was impressed a great deal. I think he is going to be a better driver as a result. I hope I am as well.

But, it is the court's getting serious with these children that I think is showing results here in northern Virginia that are being appreciated by parents and insurance companies.

I wonder, gentlemen, if in the excellent results we are seeing—and Charlie, in particular, I am certainly impressed with what you are doing in Louisiana—if we couldn't enhance those results dramatically if we had that type of cooperation with the court systems.

Do we have it? And if we don't, why not? Anyone?

Mr. CLARK. Mr. Chairman, I will take a crack at that. I can tell you in Louisiana, especially in the DWI aspect, with SADD, MADD and all the other groups, the courts, yes, have gotten stern and that does make the difference. And when the rubber hits the road in this, things—education takes place in many forums, classroom and the courtroom.

So, yes, I can tell you that that courtroom, the deterrence and the hard-nosed approach by the judicial system, with some compassion—if education does it, that is fine; if it takes monetary value, that is fine.

Remember one thing: If you desire to remove alcohol from the water, and you try to identify multiple offenders, you have to have a system to do it. And, so far, in the boating system, that is almost impossible. Motor vehicles has that.

Mr. TAUZIN. Mr. French, maybe you could tell me. Is it common in the States that courts order defendants to some form of school on boating safety as a consequence of boating accidents?

Mr. FRENCH. In fact, I think many States have that opportunity. I don't think there are very many locations where the court would reject that. Some States have it even imposed on repeat violators. We would like to see that occur.

I myself have personally taught classes like that for violators who chose the alternative to full fines.

It sometimes depends on the court system, but I am not familiar with any prohibitions to offering an alternative sentencing program where an education course in boating is an alternative to a full fine.

Mr. TAUZIN. It is something for all of you to think about.

I know that Virginia has a point system effecting insurance. Individuals can gain points back having attended these schools. Some people actually just sign up just to get points off their records. It has a real good effect, and may be something worth discussing in terms of how we encourage more education, particularly for those who are caught violating, particularly, the laws against drunk operation of a boat.

Mr. Ladd, you would like to jump in.

Mr. LADD. Yes, sir. There are a number of States that do have a system where the courts can assign people to go to a boating safety class as opposed to a fine; upon a certification that they have completed the course, their record is cleared. In some States—I think Nevada has had it for some 20 years; a number of municipalities in California and other places—there are now specific courses that have been designed for the offender.

So this is being done in more and more States.

Mr. TAUZIN. Do you want to jump in, Mr. Keeter?

Mr. KEETER. A large number of insurance companies provide a discount, if you take those courses. I know I was able to save 10 percent on my insurance on my boat this year by just taking a course. That is incentive enough for most boaters.

Mr. TAUZIN. But, it is something that we can perhaps talk about and look at in the hope of developing better enforcement mechanisms that are sometimes difficult to achieve.

Charlie, we might expand on those thoughts some more.

In terms of reporting obviously bad and incorrect data, Mr. Ladd points out that the wrong set of facts sometimes will lead you to bad conclusions. Data collection seems to be a real problem in America. We only recently found out that the President had a half-brother that we didn't know about. Obviously, there is something wrong with the data collection system in America.

I announced jokingly to a group that I was the illegitimate half-brother of Al Gore. You know, who knows?

The bottom line is that, you know, we have a problem here if we are going to get good reports and build good policy on a data collection system.

You heard my discussion with the admiral. Would any of you like to comment on that? Do we have a proper standard reporting form system? Is it required within the State systems in order to receive money from the boating safety fund? What should we do to enhance it, streamline it or make it better?

Mr. French?

Mr. FRENCH. Yes. You identified probably the biggest weak link in the accident reporting system, and that is, it is a self-reporting process, and the data that is collected in general is data that the boaters themselves report.

We have seen some great progress made, and I believe the solution to improving the quality of accident data is actually to have a system that collects data reported by investigating officers. Many States require that all fatal accidents and all serious injuries be investigated by a law enforcement officer. We use that data and we submit it to the Coast Guard, and that does make a big difference in the quality and accuracy of that data. Many States have a similar program in place.

What we would like to see beyond that, I guess, is for the United States Coast Guard to take that data and do greater analysis with it, and do what NTSB has done.

Mr. TAUZIN. How can we get more and better data coming from the localities where accidents are occurring? What can we do to improve that? Anyone?

Mr. LADD. Well, sir, I think one of the items that could be done is getting a better tie with insurance companies. As I mentioned in my commentary, many individual insurance companies report more accidents than the entire Coast Guard report. If there was a requirement, or if there was some encouragement to the insurance companies that, say, before you pay off an insurance claim, get a boating report. It may not be as accurate as the automobile report, since it is self-reporting, but we will get the numbers up.

Another thing that is going on, that was mentioned earlier, is a great increase in the last three to four years of the training being provided for accident investigation on the water. This is a fairly new thing, but it should greatly increase the ability of the States to properly do accidents. But it is still very difficult for States to investigate because of the low number of people involved with the program and the vast distances they have to cover. But it should be getting better.

And I think education is another aspect. If people don't know they have to report, it is real hard to get the report. So I think that is another factor.

Mr. TAUZIN. It would be very useful if all of you would follow up to the committee. If you could do that for us by listing—one, two, three, four, five—ideas of what you would like us to do to make sure that reporting is more complete, your responses would be key to our making good policy.

Finally, we are going to run on time with this vote on the Floor again, and I want to get to it quickly.

Mike, on the PFDs. Why does that device cost as much as 140 dollars?

Mr. SCIULLA. It was $185, fully inflatable. Because it is not approved, Mr. Chairman.

Mr. TAUZIN. If it were approved, it would cost a lot less?

Mr. SCIULLA. If it were approved, more would be sold and the price would come down.

Mr. TAUZIN. What is the expensive item on it? Is it the automatic inflater?

Mr. SCIULLA. Ruth Wood could perhaps explain that.

Mr. KEETER. It is the lack of volume, isn't it?

Mr. TAUZIN. You are Ruth?

Ms. WOOD. Ruth Wood from BOAT/U.S. Foundation, and we did a study on these inflatable life jackets; and for the most part, people really like them. They don't like the price.

But I think what Mike said is true, that if more of them were sold, the price would come down; and I think probably what is expensive is that the device itself that inflates the CO2 cylinder certainly adds to the cost.

Mr. TAUZIN. What is the problem with getting it approved, Mike?

Mr. SCIULLA. But the device that we have here is only $65 and has a similar device to that. The problem is that there is a great debate in the Coast Guard about wearability—encouraging people to get into the devices and ensuring that the devices are going to work. There is clearly a greater chance that this device is not going to work than the Type 1, which will always work.

So there has been this debate in the Coast Guard, and the bureaucratic process just takes an extraordinary amount of time.

Mr. TAUZIN. We don't have a lot of minutes. Can we get some comments from anyone else? Should we encourage the approval of these devices or not? Anyone?

Mr. LADD. Yes, sir.

Mr. TAUZIN. Charlie?

Mr. CLARK. Yes, sir. What I am going to tell you is, one of the problems that you are going to have is that this requires maintenance. This requires that an individual realize that their life is going to depend on this thing year after year; they don't want to sit on it.

What I would not encourage is that we would allow those children 12 and under in my State to put this particular one on, because if the auto-inflater doesn't work, it has to go to a manual inflater, and I would think it has zero buoyancy, is not going to bring them back to the top of the water. So we need to consider those things.

Mr. TAUZIN. Mr. Keeter.

Mr. KEETER. When a person is in a boat and he has just a bathing suit on, the chances of wearing one of these are not very great. Unless it is a bad condition, or unless he is a skier, he will wear the PFD Mike has on.

In the statistics that the National Transportation Safety Board mentioned, if we saved a third of those lives, even if this device is not effective, even if we save a third of those lives, it would be much better. But in most places, they aren't sold because they are not approved.

I would wear one where I wouldn't wear a regular life jacket in 100-degree weather in Oklahoma.

Mr. TAUZIN. I would appreciate it very much if each one of you would send us a note on what you think we can do to improve reporting. Give us your evaluation of what we ought to do regarding these things.

Obviously, there are some big opportunities here; there are also some concerns. I would like to know what your real view is on the balance of that.

Should we encourage the Coast Guard to move on it? And, Charlie, whatever may be your best impressions on this from what I have seen in the national study, the wearing or not wearing of PFDs is a major, major emphasis area we ought to look at.

Gentlemen, thank you. Your testimony has been superb. The work you do is incredibly good. I am still impressed—I know there is a difference in what statistics tell us, but I am terribly impressed that we are making great progress with very little funding. When you look at it in terms of what we are doing here in terms of how we spend money in other areas of transportation to save lives, very few dollars are spent here with great results.

I am particularly impressed with the progress in the last 10 years, and you have the commitment of this Chairman—and I am sure I speak for my committee—in working with you to improve the stability of the funding and to help you do your job even better.

Thank you very much. The hearing stands adjourned.

[Whereupon, at 12:00 Noon, the Subcommittee was adjourned; and the following was submitted for the record:]

Testimony of
Carl W.Vogt, Chairman
National Transportation Safety Board
before the
Coast Guard and Navigation Subcommittee
Merchant Marine and Fisheries Committee
House of Representatives
Regarding Recreational Boating Safety

June 24, 1993

Mr. Chairman and Members of the Subcommittee, it is a pleasure to be here today to report on the Board's study on recreational boating safety.

The number of recreational boats and the speed at which many of these recreational boats can operate has increased in the last 10 years. Although the number of fatal recreational boating accidents and fatalities decreased each year from 1985 to 1990, in 1991, the number of fatalities increased by almost 60 deaths to 924. Information from a survey by the American Red Cross indicates that about 355,000 persons are injured from recreational boating accidents annually, and more than 40 percent of these injuries require medical treatment beyond first aid.

Information on 407 fatal recreational boating accidents that occurred in 18 States in 1991 was reviewed as part of the Safety Board's study of recreational boating safety. This information represented about 52 percent of the 779 fatal accidents that year. These accidents involved 478 fatalities and comprised about 52 percent of the 924 persons who died in boating accidents nationally in 1991.

The Safety Board also reviewed data from the Coast Guard and asked 18 States to provide information on their 1991 fatal boating accident investigations. Safety studies performed by other organizations were reviewed. Further, the Board conducted a detailed investigation of three recreational boating accidents in 1992 in which a total of 13 persons died, including 4 children and 2 teenagers. Before proceeding with the study findings and recommendations, let me share with you a typical recreational boating accident scenario.

About 2:00 p.m. on Friday, June 12, 1992, 2 adult males, one adult female, and 5 children (ages 18 months to 9 years) departed a California marina in a 15-foot-long open boat powered by a 70-horsepower outboard motor. The marina operator observed the boating party departing the marina and recalled that the party purchased gas, food, and drinks, including a six-pack of beer.

The ten mile trip across San Pablo Bay, California to an island was uneventful. About 5:30 p.m., the boating party departed the island. On the return trip, the boat was heading into the wind and waves, and the trip was rougher than the earlier crossing.

As the boat neared the entrance channel to the river leading back to the marina, the outboard motor stopped because the primary fuel tank ran dry. With the boat drifting and rolling, the fuel line was connected to a reserve tank, but efforts to restart the motor were unsuccessful. When one of the adult males moved to the back of the boat to try and remedy the situation, the stern of the vessel sank. The five children were wearing personal flotation devices; the three adults retrieved theirs from a forward locker before the bow went under water.

About 6:00 a.m. the following day, a local fisherman spotted the adult female drifting near the river's entrance about one mile from where the boat sank. She was rescued and the Coast Guard was notified. Based on her report, a full scale search was initiated. By mid-morning, an additional survivor (the nine-year old child) was found, along with the bodies of the other four children and one adult male. All were about five miles from the accident site. The surviving child was treated for hypothermia.

A toxicological test of the adult male, who was the boat operator and owner, showed a blood alcohol concentration of 0.11 percent. The other adult male was never found.

Family members indicated that the boat operator's prior boat usage had been limited to fresh water lakes and rivers. He had no experience under the conditions encountered on the day of the accident, nor was there any record that he had taken any training courses related to boat safety.

The role of alcohol and lack of boat operator proficiency evidenced in this accident are typical of what the Safety Board found in the accidents examined for our recreational boating study.

The Safety Board found that over the last ten years, the percent of recreational boating fatalities that are reported to be alcohol-involved has increased, while the total number of recreational boating fatalities has decreased during the same time frame. Better reporting may account for the steady increase in the number of alcohol-involved recreational boating accidents. However, the Safety Board concluded that the extent of alcohol use in recreational boating has not been adequately documented, and this lack of documentation precludes the ability to detect trends in alcohol use in recreational boating. The information gap moreover precludes the ability to evaluate the overall effectiveness of programs designed to combat the problem.

Public attention was focused recently on alcohol involvement in recreational boating as a result of the accident in which two members of the Cleveland Indians baseball team were fatally injured when their 18-foot bass boat, powered by a 150-horsepower engine, struck a fixed dock protruding 126 feet into a Florida lake after dusk. A third teammate was seriously injured. According to the Florida Game and Fresh Water Fish Commission, the investigating agency for the accident, the vessel operator had a 0.14 percent blood alcohol concentration (BAC) at the time of the accident.

Yet, toxicological tests were taken on only 24 percent of the 451 boat operators in the 18-State sample analyzed by the Safety Board. About 76 percent of the boat operators in the sample who were toxicologically tested were fatally injured. A total of 67 operators tested positive for alcohol, and an additional 101 operators were reported by authorities to have been drinking. If the 67 operators who tested positive for alcohol and the 101 operators believed to have been drinking are combined, about 37 percent of the 451 operators involved in fatal accidents were known or strongly suspected to have consumed alcohol prior to their accidents. Because toxicological tests are more likely to be taken from fatally injured operators (and may not fully account for surviving operators who may also have been drinking), and because marine safety officers were unlikely to indicate that an operator had been drinking without substantial evidence of alcohol use, the Safety Board concluded that this 37 percent figure is probably an underestimation of the extent of alcohol use in boating accidents.

As a result of the safety study, the Safety Board issued recommendations to the Coast Guard to evaluate the effectiveness of existing State programs aimed at curbing alcohol use in recreational boating, and to the States, territories and the District of Columbia to strengthen their boating while intoxicated laws.

As disturbing as the high incidence of alcohol involvement in fatal recreational boating accidents is the minimal use of personal flotation devices (PFDs). A brief example highlights the Board's concern.

On May 26, 1991, three men launched a small inflatable vinyl plastic raft on the Arkansas River near Swissvale, Colorado. After traveling about 2 miles, they started through a rapid. Their raft was thrown sideways, hit a small rock, and capsized, throwing all three men into the water. Two men wearing PFDs struggled and eventually reached the river bank. Although there were three PFDs on board the raft, the third man was not wearing one and he drowned in the accident.

It is notable that a Colorado State park ranger had spotted the three men earlier in the day rafting on the same stretch of river. Observing that one of the rafters was not wearing a PFD, the ranger made contact with the men and, after determining that the correct number of PFDs were on board, recommended that the remaining rafter also wear his PFD. The rafter asked if he was required by law to wear a PFD and was told that he was not, whereupon he did not put it on, despite the fact that he could not swim. This man was the same individual who drowned in the accident later in the day.

Of the 478 fatalities that occurred in the accidents examined in our study, 351 were reported by the States to be the result of drowning. Of those who drowned for information on PFD use was available, 15 percent (50) wore PFDs and 85 percent (281) did not wear PFDs.

A detailed review of the 50 drownings in which the victims were wearing a PFD suggests that in each case, factors such as exposure to cold water, being trapped under water, being unconscious, wearing the wrong type of PFD or wearing the PFD improperly, contributed to the cause of death. A review of the 281 drownings in which the victims were not wearing a PFD suggests that in 15 percent of the drownings (43 drownings) there were factors that PFDs may not have been able to overcome. However, this suggests that as many as 238 persons in the 18-State sample (85 percent of the drowning victims) may have survived had they been wearing a PFD.

The Safety Board believes it is incumbent on the States to increase the level of PFD usage. This objective can be achieved by mandating PFD usage for persons involved in recreational boating activities or situations that are perceived as dangerous. Examples of these activities include boating in rough or hazardous waters, use of personal watercraft (commonly known as jet skis), water skiing, and solo vessel operation. Thirty-seven States and the District of Columbia currently have some type of PFD requirements.

At the very minimum, the Safety Board believes that children should be required to wear PFDs. The Board also believes that requiring children to wear PFDs will eventually result in more adults wearing PFDs, such as occurred with the use of child safety seats and seatbelts for children. As a result, recommendations were issued to the States asking them to consider requiring greater use of PFDs and making their use by children mandatory.

The accident data and case studies examined throughout the study repeatedly suggested that the individuals involved in fatal boating accidents, regardless of their level of experience, operated their vessels in a manner inconsistent with a basic knowledge of the rules of the road, an understanding of safe boating practices, and proficiency in operating skills.

Unlike general aviation and motor vehicle operations, an operator of a recreational boat is not required to demonstrate an understanding of the rules of the road or an ability to operate the boat. In fact, about 81 percent of recreational boat operators in the study sample, for whom information was available, had not taken any type of boating education course. Further, the report estimated that perhaps as few as 7 percent, and certainly no more than 22 percent, of first time boat operators will have taken some type of voluntary boating safety course.

A number of States currently require that certain boat operators take an education course. Twenty States, the District of Columbia, and Puerto Rico have enacted legislation that establishes various requirements before a person is permitted to operate a recreational boat. For example, 11 States and the District of Columbia have requirements that are aimed at young boat operators operating the vessel without an adult present. Three additional States (Connecticut, Maryland and Vermont) have adopted mandatory education requirements for all recreational boaters phased in over a specific period of time. In each of these three States, a boat operator is issued a certificate that must be available for review by a law enforcement officer. However, successful completion of these courses indicates only that the persons who have taken them have a knowledge of basic boating safety rules; it does not indicate that these persons have demonstrated an ability to operate the vessel.

A boat operator can rent or buy a vessel that can operate at speeds in excess of 50 miles-per-hour without demonstrating a knowledge of basic safety rules or skills in operating these sophisticated vessels. Although there are some boating advocates who would argue that most boaters would not attempt to operate such high-powered vessels without having received proper training and demonstrated an ability to operate these vessels, the Safety Board is concerned that this option exists.

Therefore, the Safety Board recommended that the States, Territories, and the District of Columbia should implement a program of minimum boating safety standards to reduce the number and severity of accidents. In addition to the PFD requirements mentioned earlier, such a program should consider the requirements for recreational boat operators to demonstrate a knowledge of safe boating rules and an ability to operate the vessel. The requirement to possess a certificate of completion or an operator's license should also be considered as a part of a comprehensive program.

The Safety Board recognizes that if a State adopts a requirement for demonstration of operator skills, the State may not want to require such demonstrations for some boats that fall under the category of recreational boats on some waterways. For example, high performance boats that operate at high speeds and larger vessels should probably require demonstration of knowledge and skills. However, small unpowered boats (or boats with low horsepower) may not warrant such a demonstration. Further, the level of competency needed may vary depending on the intended use of the vessel. For example, operating a canoe or kayak in white water may require a higher level of competency than operating the same vessel on warm placid lakes.

Implementation of minimum boating safety standards will be a significant change. However, with the exception of Alaska, every State already has a centralized boat titling and registration authority. Administration of records and fees related to certification or licensing and notification of new requirements related to the minimum boating safety standards could be accomplished by these existing organizations.

With regard to a boat operator licensing program, the Safety Board believes that such a program can enhance enforcement of boating laws, so that those who have been operating boats unsafely can be identified, and steps can be taken to either improve their behavior or effectively withdraw their boating privilege. Currently, some States can suspend operating privileges; however, without a license, there is no means of monitoring boaters who have violated boating laws. The available data from the National Highway Traffic Safety Administration (NHTSA) indicates that suspension or revocation of a person's driving license, if found to be driving under the influence of alcohol or drugs, has helped to deter this behavior. It is reasonable to believe that the suspension or revocation of a boating license would be an effective deterrent to boating while intoxicated. Suspending or revoking a boating license could also prove effective in enforcing existing and future PFD laws.

Finally, the study addressed problems with the existing accident reporting system. Although the Coast Guard believes it receives some data on most fatal accidents, critical information about these accidents is frequently missing and prevents an accurate understanding of the nature and survivability of recreational boating accidents. No information, for example, was provided for 261 passengers in our accident sample. In 47 percent of the accidents, information regarding operator experience was missing. In almost half of the cases, there was no indication that the operator had taken a boating safety course. Other critical factors for which there was incomplete information included water temperature, PFD usage, proper use of PFDs, and information on whether or not the person could swim.

The Safety Board consequently recommended that the Coast Guard revamp and standardize its accident reporting system. A standardized system, similar to the NHTSA's Fatal Accident Reporting System, would improve the quality of data that are reported. The recommendation urged the Coast Guard to develop a three-level report form and corresponding data files that address the accident, the vessel(s) and the occupants. All three levels are just as important in understanding fatal recreational boat accidents as they are in fatal motor vehicle accidents. In addition to developing a new standardized accident investigation report form, the Coast Guard should provide the States with guidelines for the data submission. The Coast Guard also should improve the accident cause codes that are used to categorize the accident. Currently these cause codes are not mutually exclusive nor are they well defined.

The Safety Board believes that the countermeasures recommended in this study are needed to prevent or reduce the number and severity of recreational boating accidents.

I would be pleased to respond to any questions at this time.

U.S. Department
of Transportation
**United States
Coast Guard**

Commandant
U.S. Coast Guard

2100 Second Street S.W
Washington, DC 20593-0001
Staff Symbol:
Phone:

DEPARTMENT OF TRANSPORTATION

U. S. COAST GUARD

STATEMENT OF REAR ADMIRAL WILLIAM J. ECKER

ON THE NATIONAL TRANSPORTATION SAFETY BOARD STUDY ON

RECREATIONAL BOATING SAFETY

AND ON COAST GUARD ADMINISTRATION OF THE BOAT SAFETY ACCOUNT

BEFORE THE

SUBCOMMITTEE ON COAST GUARD AND NAVIGATION

COMMITTEE ON MERCHANT MARINE AND FISHERIES

HOUSE OF REPRESENTATIVES

JUNE 24, 1993

Rear Admiral William J. Ecker
Chief, Office of Navigation Safety and Waterway Services
United States Coast Guard

Rear Admiral William J. Ecker assumed duties as Chief, Office of Navigation Safety and Waterway Services, at United States Coast Guard Headquarters, Washington, D.C., in September 1991. He is director of programs for: search and rescue; recreational boating safety; aids to navigation; radio navigation; rules of the road and navigation regulations; vessel traffic services; bridge administration; domestic and polar ice operations; consumer affairs; and the Coast Guard Auxiliary, a civilian volunteer force of about 40,000.

Prior to this assignment, Rear Admiral Ecker served for two and one-half years as Commander, Second Coast Guard District in St. Louis, where he directed Coast Guard operations on more than 6,500 miles of navigable waterways in all or parts of 22 states.

Rear Admiral Ecker graduated from the Coast Guard Academy in 1960 and served in a variety of seagoing and shore assignments during his career. He served on Coast Guard cutters WESTWIND, WINNEBAGO, RESOLUTE, and MELLON. The tour on CGC MELLON included deployment to Vietnam.

Shore assignments included duty as assistant professor in the engineering department at the U.S. Merchant Marine Academy; Chief, Information and Analysis Staff in the Office of Merchant Marine Safety, Washington, D.C.; Commanding Officer of the Marine Inspection Office, New Orleans, LA; Commanding Officer of the Marine Safety Office in Mobile, Ala.; Chief of Operations at the Ninth District in Cleveland, Ohio; Deputy Chief in the Office of Marine Safety, Security and Environmental Protection, Washington, D.C.; and Chief of Staff of the Fifth Coast Guard District, in Portsmouth, Virginia.

Rear Admiral Ecker's decorations include the Legion of Merit, the Meritorious Service Medal (3), the Coast Guard Commendation Medal (4), the Navy Commendation Medal, the Commandant's Letter of Commendation Ribbon (2), the Coast Guard Unit Commendation with "O" Device, the Coast Guard "E" Ribbon (2), the Coast Guard Bicentennial Unit Commendation Ribbon, the Navy Meritorious Unit Commendation, the National Defense Service Medal (2), the U. S. Coast Guard Arctic Service Medal, the Vietnam Service Medal, the Humanitarian Service Medal, the U. S. Coast Guard Special Operations Service Ribbon, the U. S. Coast Guard Sea Service Deployment Ribbon (3), the RVN Gallantry Cross Unit Citation, the RVN Civil Action Citation, the RVN Campaign Medal, the Coast Guard Rifleman Marksman Ribbon and the Coast Guard Pistol Sharpshooter Ribbon.

A native of Brooklyn, N.Y. Rear Admiral Ecker is married and has three children.

DEPARTMENT OF TRANSPORTATION
U. S. COAST GUARD
STATEMENT OF REAR ADMIRAL WILLIAM J. ECKER
ON THE NATIONAL TRANSPORTATION SAFETY BOARD STUDY ON
RECREATIONAL BOATING SAFETY
AND ON COAST GUARD ADMINISTRATION OF THE BOAT SAFETY ACCOUNT
BEFORE THE
SUBCOMMITTEE ON COAST GUARD AND NAVIGATION
COMMITTEE ON MERCHANT MARINE AND FISHERIES
HOUSE OF REPRESENTATIVES
JUNE 24, 1993

GOOD MORNING, MR. CHAIRMAN. IT IS MY PLEASURE TO APPEAR BEFORE THIS DISTINGUISHED SUBCOMMITTEE TODAY TO ADDRESS THE FINDINGS AND RECOMMENDATIONS OF THE NATIONAL TRANSPORTATION SAFETY BOARD'S STUDY ON RECREATIONAL BOATING SAFETY, AND TO REVIEW THE COAST GUARD'S ADMINISTRATION OF THE BOAT SAFETY ACCOUNT.

NTSB RECREATIONAL BOATING SAFETY STUDY

THE NTSB STUDY HIGHLIGHTED SEVERAL IMPORTANT BOATING SAFETY ISSUES, INCLUDING ALCOHOL INVOLVEMENT IN RECREATIONAL BOATING ACCIDENTS, USE OF PERSONAL FLOTATION DEVICES (PFD'S), THE NEED FOR MORE BOATING SAFETY EDUCATION, AND ACCIDENT DATA QUALITY. THE COAST GUARD CONCURS WITH THE THRUST OF THE NTSB RECOMMENDATIONS. ALCOHOL USE WHILE BOATING, PFD USE, AND BOATING SAFETY EDUCATION HAVE ALL BEEN MAJOR THEMES OF NATIONAL SAFE BOATING WEEK AND OTHER NATIONAL CAMPAIGNS AND PROGRAM EFFORTS THROUGH THE YEARS. THE NTSB REPORT MAY PROVIDE A RENEWED

STIMULUS FOR CONSTRUCTIVE ACTION.

THE FIRST FINDING OF THE NTSB SAFETY STUDY NOTES THAT THE NUMBER OF FATAL BOATING ACCIDENTS AND FATALITIES DECREASED FROM 1985 TO 1990, BUT INCREASED IN 1991. I AM PLEASED TO REPORT THAT THE FATALITY NUMBER DECREASED SHARPLY IN 1992 TO A RECORD LOW OF 816 FATALITIES. THE 1992 FATALITY RATE OF 4.0 FATALITIES PER 100,000 BOATS IS ALSO A RECORD LOW. NEVER THE LESS, WE MUST ALL CONTINUE TO STRIVE TO BRING THESE NUMBERS DOWN AS LOW AS POSSIBLE.

THE COAST GUARD CONCURS WITH OTHER NTSB FINDINGS IN THAT: DATA ON THE INVOLVEMENT OF ALCOHOL IN BOATING ACCIDENTS ARE NOT ADEQUATE; NOT ENOUGH CHEMICAL TESTING TO DETECT THE PRESENCE OF ALCOHOL IS BEING DONE; GREATER WEARING OF PERSONAL FLOTATION DEVICES WOULD SAVE LIVES; NOT ENOUGH BOAT OPERATORS ARE RECEIVING BOATING EDUCATION; AND THAT THE STATES NEED TO REPORT MORE CONSISTENT AND COMPLETE INFORMATION ON RECREATIONAL BOATING ACCIDENTS.

MOST OF THE NTSB'S RECOMMENDATIONS ARE DIRECTED AT THE STATES. IN THAT REGARD, I WOULD LIKE TO EMPHASIZE THE IMPORTANT ROLE OF THE STATES TO THE NATIONAL RECREATIONAL BOATING SAFETY PROGRAM, AND TO EXPRESS THE COAST GUARD'S APPRECIATION FOR THE COOPERATION THAT EXISTS IN THIS FEDERAL/STATE PARTNERSHIP. THIS PARTNERSHIP WAS INITIATED IN THE FEDERAL BOAT SAFETY ACT OF 1971; IT WAS STRENGTHENED BY SUBSEQUENT AMENDMENTS; AND IT HAS BEEN A MAJOR SUCCESS STORY. AS EVIDENCE OF THAT SUCCESS, I CALL TO YOUR ATTENTION THE FACT THAT THE BOATING FATALITY RATE IN 1992 WAS ONE-FIFTH OF WHAT IT WAS IN 1971.

THE COAST GUARD CONCURS WITH THE GENERAL RECOMMENDATION TO ALL OF THE STATES TO IMPLEMENT MINIMUM RECREATIONAL BOATING SAFETY STANDARDS TO REDUCE THE NUMBER AND SEVERITY OF ACCIDENTS. THE COAST GUARD AGREES THAT THE INDIVIDUAL STATES ARE IN THE BEST POSITION TO EVALUATE THE NEEDS OF THEIR BOATERS RELATIVE TO THE TYPES AND CONDITIONS OF BOATING IN THE STATE, TAKING INTO ACCOUNT ALL FACTORS IN DETERMINING THE FEASIBILITY AND REASONABLENESS OF IMPLEMENTING THOSE SPECIFIC ACTIONS SUGGESTED BY THE NTSB.

THE COAST GUARD ALSO CONCURS WITH THE FIVE RECOMMENDATIONS TO RESPECTIVE STATES THAT THEY EXPAND THEIR LAWS RELATED TO OPERATING BOATS UNDER THE INFLUENCE OF ALCOHOL. OPERATING A BOAT UNDER THE INFLUENCE OF ALCOHOL IS ILLEGAL IN ALL STATES, TERRITORIES, AND THE DISTRICT OF COLUMBIA. IN 1987, THE COAST GUARD ISSUED A RULEMAKING WHICH ESTABLISHED A BLOOD ALCOHOL CONCENTRATION OF .10 PERCENT AS THE NATIONAL LEGAL INTOXICATION STANDARD. TO DATE, 45 STATES HAVE ENACTED INTO LAW THIS STANDARD OR A MORE STRINGENT ONE. CHEMICAL AND TOXICOLOGICAL TESTING WOULD PROVIDE MORE DEFINITIVE DATA ON THE ROLE OF ALCOHOL IN BOATING ACCIDENTS AND STRENGTHEN ENFORCEMENT. HOPEFULLY, STATE LEGISLATURES WILL CONSIDER THIS BENEFIT AS AN OFFSET TO BALANCE THE COSTS OF IMPLEMENTING THE RELATED NTSB RECOMMENDATIONS. AS WE HAVE DONE IN SEVERAL STATES, THE COAST GUARD WILL CONTINUE TO BE AVAILABLE TO TESTIFY ON BEHALF OF PROPOSED STATE BOATING AND ALCOHOL LEGISLATION.

WHILE RECOGNIZING THAT A MAJORITY OF BOATING FATALITIES RESULT FROM DROWNINGS WHICH MAY HAVE BEEN PREVENTED BY WEARING PERSONAL FLOTATION DEVICES, WE ARE NOT CONVINCED THAT A FEDERAL

STATUTE REQUIRING MANDATORY PFD WEAR FOR CHILDREN IS APPROPRIATE FOR ALL BOATING CONDITIONS. THERE ARE MANY VARIABLES TO BE CONSIDERED--AGE, SWIMMING ABILITY, SIZE OF BOAT, WEATHER AND WATER CONDITIONS, AND PARENTAL RESPONSIBILITY ARE A FEW. WE WOULD HOWEVER, SUPPORT INDIVIDUAL STATE REQUIREMENTS DEVELOPED AFTER CONSIDERATION OF THESE FACTORS. FEDERAL RULEMAKING IS IMMINENT WHICH WILL GIVE THE STATES THE LATITUDE TO DO THIS. WE SUPPORT THE NTSB RECOMMENDATION TO THE AMERICAN ACADEMY OF PEDIATRICS TO INVESTIGATE AND SUGGEST AN AGE AT OR BELOW WHICH IT WOULD BE REASONABLE TO IMPOSE A MANDATORY PFD WEAR REQUIREMENT FOR CHILDREN. CREDIBLE GUIDANCE WOULD THEN BE AVAILABLE TO THOSE STATES WISHING TO CONSIDER SUCH ACTION.

TWO OF THE NTSB RECOMMENDATIONS SUGGEST USING FEDERAL GRANT FUNDS TO "ENCOURAGE" STATES TO ADOPT MORE EFFECTIVE PROGRAMS AIMED AT CURBING ALCOHOL USE IN RECREATIONAL BOATING AND INCREASING THE USE OF PFD'S. UNDER CURRENT LAW, WE DO NOT HAVE THAT KIND OF DISCRETION. THE APPLICABLE STATUTE PROVIDES THAT A STATE IS ELIGIBLE FOR GRANT FUNDS IF IT MEETS THE MINIMUM REQUIREMENTS FOR PROGRAM APPROVAL OUTLINED IN 46 U.S.C. 13102. ONCE A STATE PROGRAM IS APPROVED, THE AMOUNT OF FUNDS IT IS ELIGIBLE TO RECEIVE IS DETERMINED BY THE FORMULA SET OUT IN 46 U.S.C. 13103. THERE ARE NO DISCRETIONARY FEDERAL FUNDS AVAILABLE FOR THE COAST GUARD TO USE AS AN INCENTIVE FOR THE STATES. WE EITHER APPROVE THEIR RECREATIONAL BOATING SAFETY (RBS) PROGRAMS AND ALLOW THEM TO PARTICIPATE IN THE GRANTS, OR WE DISAPPROVE THEIR PROGRAMS AND PROVIDE NO FINANCIAL SUPPORT FOR THEIR RBS EFFORTS.

PREVIOUSLY, WE DETERMINED THAT EVEN IF WE HAD SUCH LATITUDE, IT WOULD NOT BE THE MOST ADVANTAGEOUS COURSE TO ACCOMPLISH THE GOALS OF THE RECREATIONAL BOATING SAFETY PROGRAM. ENACTMENT OF MANY OF THE NTSB'S RECOMMENDATIONS WILL REQUIRE ACTION BY STATE LEGISLATURES TO CHANGE CURRENT LAWS. WHILE INDIVIDUAL STATE BOATING LAW ADMINISTRATORS MAY SUPPORT STRICTER BOATING-UNDER-THE-INFLUENCE LAWS OR MANDATORY WEARING OF PFD'S, PASSING NECESSARY LEGISLATION MAY NOT BE POSSIBLE DUE TO LEGISLATIVE RESISTANCE. SHOULD REQUIREMENTS BE PLACED ON THE STATES AS A CONDITION OF ELIGIBILITY TO RECEIVE FEDERAL FUNDS, SOME STATES MAY ELECT TO WITHDRAW FROM THE PROGRAM. THUS, INSTEAD OF IMPROVING THE BOATING SAFETY PROGRAM, WE COULD SET IT BACK.

THE COAST GUARD CONCURS WITH THE NTSB THAT BOATING ACCIDENT DATA MUST BE IMPROVED. WE BELIEVE THAT EXISTING LAWS AND REGULATIONS HAVE ESTABLISHED A REASONABLE MECHANISM TO OBTAIN BOATING CASUALTY DATA. THE COAST GUARD INITIATED SEVERAL ACTIONS TO IMPROVE DATA QUALITY PRIMARILY ADDRESSING BOATING ACCIDENT INVESTIGATORS WHOSE INPUT IS ESSENTIAL TO IMPROVING DATA QUALITY. FOR EXAMPLE, ACCIDENT INVESTIGATION TRAINING WAS MADE AN INTEGRAL PART OF THE NATIONAL BOATING SAFETY COURSE FOR STATE BOATING SAFETY OFFICERS. THIS COURSE IS PROVIDED BY THE COAST GUARD THREE TIMES EACH YEAR, AND WE ARE CONTINUOUSLY MAKING IMPROVEMENTS TO THIS TRAINING. ALSO, STATE ACCIDENT INVESTIGATION TRAINING SEMINARS HAVE BEEN FUNDED BY THE NONPROFIT GRANT PROGRAM OF THE BOAT SAFETY ACCOUNT FOR THE PAST SIX YEARS. WE HAVE BEEN WORKING VERY CLOSELY WITH THE NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS (NASBLA) TO INCREASE AND

IMPROVE TRAINING, TO EXPAND THE CONTENT OF ACCIDENT REPORTING AND INVESTIGATION DOCUMENTS, AND TO STREAMLINE REPORTING BY THE STATES TO THE COAST GUARD. IN A DIFFERENT VEIN, USING A NONPROFIT GRANT, WE INITIATED AN EXTENSIVE PROGRAM TO OBTAIN DATA FROM INSURANCE COMPANIES.

LASTLY, THE NTSB RECOMMENDATIONS WHICH HAVE PROVED TO BE THE MOST CONTROVERSIAL CONCERN MANDATORY DEMONSTRATION OF OPERATOR KNOWLEDGE OF SAFE BOATING RULES AND OPERATOR LICENSING. THE COAST GUARD HAS ACTIVELY PROMOTED BOATER EDUCATION FOR MANY YEARS. WHETHER OR NOT LICENSING IS THE BEST WAY TO ENSURE THAT BOATERS ARE EDUCATED IS DEBATABLE. WE DO NOT OBJECT TO NTSB'S RECOMMENDATION THAT GUIDELINES BE DEVELOPED FOR THE STATES' USE IN IMPLEMENTING RELATED MINIMUM STANDARDS, AND WOULD COORDINATE WITH NASBLA IN DEVELOPING THESE STANDARDS. WHILE WE DO NOT VIEW LICENSING OF RECREATIONAL BOATERS AS AN APPROPRIATE FEDERAL ROLE, WE HAVE NO OBJECTION TO STATES PROCEEDING IN THIS MANNER. EACH STATE IS IN THE BEST POSITION TO DETERMINE THE EXTENT OF ITS NEED FOR OPERATOR LICENSING OR CERTIFICATION, AND HOW TO ADMINISTER, FUND, AND ENFORCE SUCH A PROGRAM. WE DO BELIEVE THAT A CLOSE LOOK IS NECESSARY TO DETERMINE IF SUCH A PROGRAM IS THE VERY BEST USE OF LIMITED RESOURCES. LICENSING IS A COMPLEX AND AN ADMINISTRATIVELY BURDENSOME ISSUE. VARYING BOAT TYPES AND OPERATING ENVIRONMENTS COMPLICATE DEVELOPMENT OF ON-THE-WATER COMPETENCY TESTING, COSTS FOR DIVERSIFIED HANDS-ON TESTING WOULD ALSO BE PROHIBITIVE.

WE SUPPORT (AS WE ALWAYS HAVE) INCREASED EDUCATION BY WHATEVER MEANS PROVIDED, AND COMMEND THE LONG STANDING EFFORTS OF

THE STATES, COAST GUARD AUXILIARY, THE U.S. POWER SQUADRONS, AND OTHERS INVOLVED IN EDUCATING BOATERS. EDUCATION HAS HELPED TO REDUCE THE FATALITY RATE OVER THE YEARS.

ADMINISTRATION OF THE BOAT SAFETY ACCOUNT

AS DIRECTED BY THIS COMMITTEE DURING REAUTHORIZATION OF THE STATE RBS GRANT PROGRAM IN 1988, THE COAST GUARD HAS INCREASED NUMERICALLY ITS STATE AFFAIRS STAFF TO PROVIDE BETTER OVERSIGHT OF STATE RECREATIONAL BOATING SAFETY PROGRAMS. REGIONAL COORDINATORS, WHO ARE RESPONSIBLE FOR 12 TO 16 STATES AND TERRITORIES EACH, HAVE GREATLY IMPROVED OUR ABILITY TO PROVIDE GUIDANCE TO THE STATES.

UTILIZING THE FUNDS AUTHORIZED FOR PROGRAM ADMINISTRATION FROM THE BOAT SAFETY ACCOUNT, STATE AFFAIRS PERSONNEL PERFORM OVERSIGHT VISITS TO BETTER UNDERSTAND HOW INDIVIDUAL STATE PROGRAMS WORK, AND TO SHARE THEIR KNOWLEDGE OF SUCCESSFUL PROGRAMS IN OTHER STATES. WE HAVE INITIATED A TRIENNIAL REVIEW AND COORDINATOR VISIT SCHEDULE WITH EACH STATE AND TERRITORY.

WE ALSO USE THE ADMINISTRATIVE FUNDS TO CONDUCT WORKSHOPS WITH STATE BOATING LAW ADMINISTRATORS IN EACH OF THE COAST GUARD DISTRICTS TO ENCOURAGE CLOSER COOPERATION BETWEEN THE COAST GUARD AND THE STATES, AND AMONG THE STATES THEMSELVES IN EACH COAST GUARD DISTRICT, AND TO PROVIDE TRAINING FOR STATE PERSONNEL ON ADMINISTRATION AND REPORTING OF RBS PROGRAM ACTIVITIES. THE RESPONSE OF THE STATES TO THESE WORKSHOPS HAS BEEN VERY POSITIVE AND, WITHOUT EXCEPTION, THEY HAVE ASKED THAT THE WORKSHOPS BE HELD ANNUALLY.

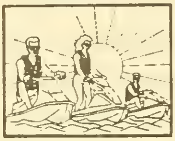
PURSUANT TO THE COMMITTEE'S RECOMMENDATION IN 1988, WE HAVE WORKED CLOSELY WITH NASBLA TO SIGNIFICANTLY EXPAND AND IMPROVE THE STATE GUIDE, WHICH PROVIDES A REFERENCE TO THE LAWS, REGULATIONS AND GUIDELINES THAT GOVERN THE ACCEPTANCE OF STATE RECREATIONAL BOATING SAFETY PROGRAMS AND THE ADMINISTRATION OF FEDERAL FINANCIAL ASSISTANCE. THERE IS AN ONGOING PROGRAM OF REVIEW AND UPDATE OF THE GUIDE TO REFLECT CHANGES IN LAWS AND REGULATIONS, AND OTHER IMPROVEMENTS.

WHEN THE STATE RBS GRANT PROGRAM WAS FIRST ENACTED IN 1971, ITS MAJOR GOAL WAS TO "ENCOURAGE GREATER STATE PARTICIPATION AND UNIFORMITY IN BOATING SAFETY EFFORTS, AND PARTICULARLY TO PERMIT THE STATES TO ASSUME THE GREATER SHARE OF BOATING SAFETY EDUCATION, ASSISTANCE, AND ENFORCEMENT ACTIVITIES." THIS GOAL IS BEING ACCOMPLISHED. WE ARE PAINFULLY AWARE OF THE BUDGET PROBLEMS AT THE STATE AS WELL AS AT THE FEDERAL LEVEL. DESPITE THESE PROBLEMS, OVERALL THE STATES HAVE PUT MORE THAN FOUR DOLLARS OF THEIR OWN FUNDS INTO BOATING SAFETY FOR EVERY DOLLAR RECEIVED IN FEDERAL FUNDING DURING FISCAL YEAR 1992. THIS IS NOTEWORTHY AND COMMENDABLE.

IN CONCLUSION, THE NATIONAL BOATING SAFETY PROGRAM IS BUILT UPON COOPERATION BETWEEN THE COAST GUARD, THE STATES, THE MANY FINE BOATING SAFETY AND BOATING ENTHUSIAST ORGANIZATIONS, AND THE BOATING INDUSTRY. CONTINUOUS IMPROVEMENTS IN SAFETY PROGRAMS AND ACTIVITIES WILL HELP ACHIEVE THE BEST POSSIBLE SAFETY RECORD. WE BELIEVE THAT THE NTSB STUDY IS SERVING A VERY USEFUL PURPOSE IN FOSTERING A HEALTHY DIALOG ON SOME VERY IMPORTANT BOATING SAFETY ISSUES. IN DELIBERATING THE MERITS OF THE BOARD'S AND OTHER

RECOMMENDATIONS FOR IMPROVING BOATING SAFETY, WE, OF COURSE, MUST KEEP SAFETY CONSIDERATIONS UPPERMOST. AT THE SAME TIME, WE SHOULD NOT LOSE SIGHT OF THE FACT THAT BOATING IS PRIMARILY A FORM OF RECREATION RATHER THAN TRANSPORTATION. BOATING SHOULD REMAIN PLEASURABLE AS WELL AS SAFE FOR THE MILLIONS OF AMERICANS WHO GO BOATING EACH YEAR.

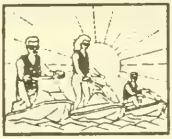
MR. CHAIRMAN, I WILL BE HAPPY TO RESPOND TO ANY QUESTIONS YOU OR OTHER MEMBERS OF THE SUBCOMMITTEE MIGHT HAVE.

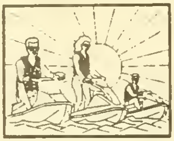


OPERATION AT TIME OF ACCIDENTS - 1992

	VESSELS INVOLVED	FATALITIES
TOTALS	**8,206**	**816**
Cruising	4,167	285
Cruising, fishing	167	9
Cruising, hunting	4	2
Cruising, sailing	29	9
Maneuvering	773	49
Maneuvering, docking	144	0
Maneuvering, leaving dock	82	0
Maneuvering, mooring	2	0
Maneuvering, for towing	7	0
Waterskiing	695	22
Waterskiing, maneuvering with skier down	14	1
Racing	58	7
Towing	23	0
Being towed	37	0
Drifting	649	141
Drifting, fishing	286	170
Drifting, hunting	13	7
Drifting, diving or swimming	8	0
Drifting, fueling	2	0
At anchor	256	19
At anchor, fishing	66	11
At anchor, hunting	3	0
At anchor, diving or swimming	4	0
At anchor, fueling	7	0
Tied to dock	528	10
Tied to dock, fueling	9	0
Other	70	4
Unknown	103	70

VESSEL INFORMATION - 1992

		VESSELS INVOLVED	FATALITIES
TOTALS		8,206	816
TYPE OF BOAT	Open motorboat	3,622	434
	Cabin motorboat	1,378	71
	Auxiliary sailboat	392	10
	Sailboat only	87	22
	Rowboat	88	69
	Canoe or kayak	109	80
	Inflatable boat	38	27
	Houseboat	94	2
	Personal Watercraft	1,650	34
	Other	181	17
	Unknown	567	50
HULL MATERIAL	Wood	209	27
	Aluminum	917	275
	Steel	68	3
	Fiberglass	6,379	398
	Rubber, vinyl, canvas	52	28
	Other	29	1
	Unknown	552	84
PROPULSION	Outboard	2,856	423
	Inboard gasoline	1,196	18
	Inboard diesel	238	12
	Inboard-outboard	1,479	61
	Jet	1,487	36
	Sail	88	23
	Manual (oars, paddle)	219	175
	Other	45	10
	Unknown	598	58
HORSEPOWER	No engine	308	198
	10 hp or less	275	77
	11-25 hp	362	66
	26-75 hp	1,704	131
	Over 75 hp	3,556	162
	Unknown	2,001	182
YEAR BUILT	1992	868	25
	1991	586	19
	1989-1990	1,144	76
	1987-1988	905	53
	1984-1986	798	45
	1979-1983	743	62
	Prior to 1979	1,836	217
	Unknown	1,324	319
LENGTH	Less than 16 feet	2,390	381
	16 feet to less than 26 feet	3,758	275
	26 feet to less than 40 feet	783	34
	40 feet to not more than 65 feet	287	11
	More than 65 feet	21	1
	Unknown	967	114

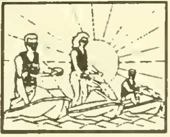


OPERATOR INFORMATION - 1992

		VESSELS INVOLVED	FATALITIES
TOTALS		8,206	816
AGE OF OPERATOR	Under 12 years	45	1
	12 to 18 years	702	47
	19 to 25 years	1,153	101
	26 to 50 years	4,079	412
	Over 50 years	1,091	169
	Unknown	757	86
	No Operator	379	0
OPERATOR'S EXPERIENCE	Less than 20 hours	1,268	96
	20 to 100 hours	1,253	100
	100 to 500 hours	1,600	101
	Over 500 hours	2,118	126
	Unknown	1,588	393
	No Operator	379	0
NUMBER OF PERSONS ON BOARD	None	377	0
	One	2,155	207
	Two	2,174	266
	Three	1,068	140
	Four	834	93
	Five	423	32
	Six	277	21
	Seven	118	8
	Eight	75	14
	Nine	30	6
	Ten	25	1
	More than 10	32	1
	Unknown	618	27
FORMAL INSTRUCTION OF OPERATOR [1]	USCG Auxiliary	640	10
	US Power Squadrons	303	6
	American Red Cross	142	6
	State	225	3
	Other	758	41
	None	3,871	330
	Unknown	1,889	420
	No Operator	378	0
FAULT OF OPERATOR [2]	Did contribute	3,911	499
	Did not contribute	4,047	166
	Not determined	248	151
PERSONAL FLOTATION DEVICES	Insufficient or no PFD's on board	186	174
	Approved, accessible, used	3,069	76
	Approved, accessible, not used	2,807	350
	Approved, not accessible	160	6
	Not approved, accessible, used	20	0
	Not approved, accessible, not used	4	0
	Not approved, not accessible	16	0
	Other	0	0
	Unknown	1,944	210

[1] Formal instruction of operator implies that some education has been received, but not necessarily that a course was successfully completed.

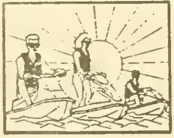
[2] Operator fault is largely a subjective judgement. If at any point in the chain of events leading up to an accident, the operator, by action or inaction contributes to the casualty, then the accident is coded, "Fault of Operator Did Contribute." If an accident occurs because of factors outside the control of the operator, then the accident is coded, "Fault of Operator Did Not Contribute."

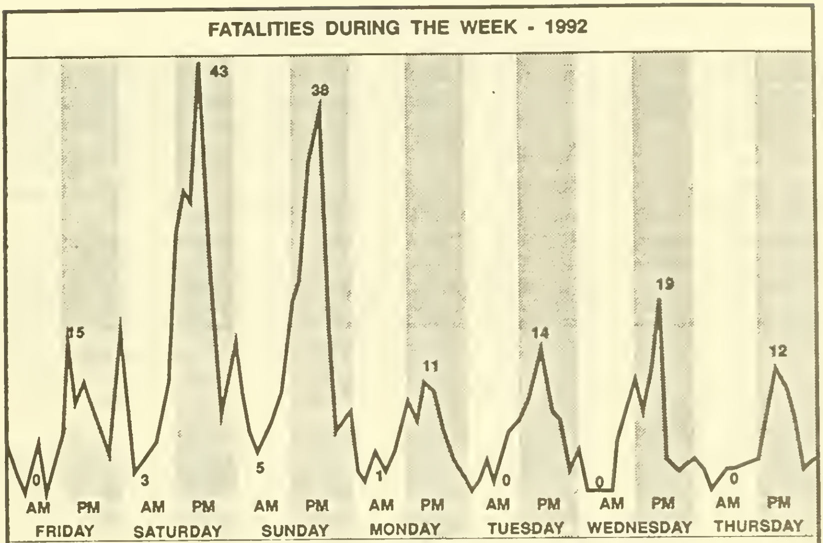


WEATHER AND WATER CONDITIONS - 1992

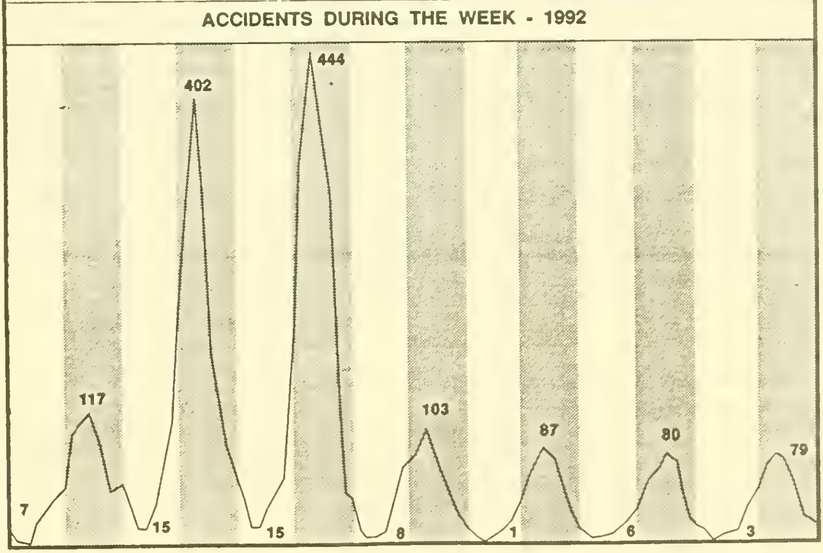
		VESSELS INVOLVED	FATALITIES
TOTALS		8,206	816
TYPE OF BODY OF WATER	Ocean/Gulf	444	45
	Great Lakes (not tributaries)	84	20
	Bays, inlets, sounds, harbors, Intracoastal waterways	1,291	99
	Rivers, streams, creeks	2,136	260
	Lakes, ponds, reservoirs, dams, gravel pits	4,025	388
	Other	86	4
	Unknown	140	0
WATER CONDITIONS	Calm	4,471	355
	Choppy	2,364	159
	Rough	648	88
	Very rough	242	53
	Strong current	295	88
	Unknown	186	73
WIND	None	1,202	114
	Light	4,112	329
	Moderate	1,873	168
	Strong	633	77
	Storm	132	45
	Unknown	254	83
VISIBILITY [1]	Good	6,546	521
	Fair	306	57
	Poor	99	16
	Dark	1,103	147
	Unknown	152	75
WATER TEMPERATURE	Below 40 degrees F	64	25
	40-49 degrees F	172	58
	50-59 degrees F	628	105
	60-69 degrees F	1,911	158
	70-79 degrees F	2,747	181
	80-89 degrees F	1,070	67
	90 degrees F and above	19	0
	Unknown	1,595	222

[1] Accidents are now coded "dark" when they occur at night even if the visibility is reported "good," "fair," or "poor."

	MISCELLANEOUS DATA - 1992	VESSELS INVOLVED	FATALITIES
TOTALS		**8,206**	**816**
TIME OF DAY	Midnight to 2:30 am	175	30
	2:30 am to 4:30 am	68	12
	4:30 am to 6:30 am	85	15
	6:30 am to 8:30 am	163	27
	8:30 am to 10:30 am	416	41
	10:30 am to 12:30 pm	886	81
	12:30 pm to 2:30 pm	1,424	98
	2:30 pm to 4:30 pm	1,820	120
	4:30 pm to 6:30 pm	1,464	139
	6:30 pm to 8:30 pm	751	69
	8:30 pm to 10:30 pm	390	27
	10:30 pm to midnight	290	50
	Unknown	274	107
MONTH OF YEAR	January	123	39
	February	142	28
	March	277	41
	April	480	87
	May	1,204	126
	June	1,205	89
	July	1,931	110
	August	1,530	112
	September	704	83
	October	350	44
	November	149	27
	December	111	30
	Unknown	0	0
DAY OF WEEK	Friday	921	100
	Saturday	2,574	240
	Sunday	2,406	192
	Monday	640	69
	Tuesday	544	76
	Wednesday	545	79
	Thursday	576	60
	Unknown	0	0
RENTED	Boat was rented	765	42
	Boat was not rented	6,783	695
	Unknown	658	79



FATALITIES DURING THE WEEK - 1992



ACCIDENTS DURING THE WEEK - 1992

U. S. COAST GUARD AUXILIARY

The Coast Guard Auxiliary was established by Congress as a civilian volunteer, non-military organization, to promote safety in recreational boating in the United States. It is comprised of approximately 35,000 members who are experienced boaters, amateur radio operators, or licensed aircraft pilots. Auxiliarists take pride in the fact that they are known for the promotion of safe boating by setting a good example. Auxiliarists' boats must be equipped and maintained to high standards of safety which exceed the requirements of federal law for recreational motorboats. To accomplish its mission the Auxiliary carries out three basic programs: Courtesy Marine Examinations (CME), Public Education and Operations.

Courtesy Marine Examination (CME). Specially-trained members of the Auxiliary are authorized to conduct Courtesy Marine Examinations of recreational boats upon the request and consent of the owners or operators. This is a check of the boat's safety-related equipment covering both the requirements of federal and state law and certain additional criteria for safety which have been adopted by the Auxiliary. Boats meeting these criteria are awarded the respected Auxiliary CME decal "Seal of Safety." If a boat does not pass the examination, the owner is advised of the deficiencies, but no report is made to any law enforcement official. This examination is in effect a form of boater education - a one-on-one exchange of boating safety information.

Public Education. The Auxiliary offers the public an array of boating safety courses, each tailored to a specific need. There are courses for both sailing and power boating - novice and expert. Courses are taught by experienced Auxiliarists using slides, movies, and demonstrations. The multi-lesson "Sailing and Seamanship" and the "Boating Skills and Seamanship" courses cover basic knowledge of Aids to Navigation, Rules of the Road, Boat Handling, Legal Requirements, Marine Engines, Marlinspike Seamanship, Communications, Weather, Locks and Dams, and more. Boaters are also offered a multi-lesson "Advanced Coastal Navigation" course. Youngsters can enjoy the "Water'N Kids" coloring book presentation.

Operations. To assist the U. S. Coast Guard, members of the Auxiliary perform search and rescue missions, patrol regattas and marine events, and add a large measure of safety to the nation's waterways by their safety patrols. These Auxiliary operations are often performed in conjunction with regular Coast Guard units.

The Coast Guard Auxiliary reports the following achievements in calendar year 1992:

Persons enrolled in public safe boating courses	347,278
Courtesy Marine Examinations conducted	284,142
Safety patrols	33,525
Support missions for Coast Guard	54,190
Assists to the public	8,162
Regatta patrols	4,612
Persons assisted	25,579
Lives saved	488
Value of property saved/assisted	$224,885,000

Membership. Men and women interested in the these programs are encouraged to apply for membership in the Auxiliary. For further information please contact the nearest Coast Guard or Auxiliary unit or write to Commandant (G-NAB-1), U. S. Coast Guard Headquarters, Washington, D. C. 20593-0001, or call (800) 368-5647.

BOATING SAFETY EDUCATION

The Coast Guard supports a national program to educate the public in safe boating practices. It serves as the focal point for information for all government agencies, Federal and State, and national non-profit organizations with boating programs. As a part of this process, organizations are encouraged to share information and resources to develop and conduct programs to promote boating safety.

The Boating Safety Education Branch serves as the liaison with national organizations and coordinates events with the National Safe Boating Council such as the National Boating Education Seminar and the National Safe Boating Campaign. Such programs are designed to keep boating educators current and to foster a greater awareness of boating safety issues on the part of the boating public. In addition, a similar liaison is conducted with State agencies through the National Association of State Boating Law Administrators Education Committee. The National Boating Safety Course at the Reserve Training Center at Yorktown, Virginia is offered to train State enforcement and education personnel.

Education materials are developed and distributed through the network of Federal, national, and State organizations. Schools, civic groups, and local boating organizations are encouraged to contact Coast Guard District Boating Safety Offices, the Coast Guard Auxiliary and their State Boating Education Coordinator for assistance in planning and organizing a boating safety presentation or program. Individuals seeking safety information should call the Boating Safety Hotline, (800) 368-5647.

BOATING SAFETY AND PRODUCT ASSURANCE

The Recreational Boating Safety Program ensures that boats sold to the public meet Coast Guard regulations by monitoring the activities of the recreational boat builder through a Coast Guard factory inspection program and testing sample boats purchased on the open market. Manufacturers are required to correct any boats found to be in violation of the regulations. The Boating Safety Circular is published to provide boat manufacturers and dealers with the latest information on safety.

Some boats and marine products are found to have defects which create a substantial risk of personal injury to the public. Such defects are required to be repaired or corrected at the boat manufacturers' expense. Most of the defects investigated to date have been reported voluntarily by the manufacturers. Consumer complaints are also investigated and can result in an order for a manufacturer to repair a defect. Ordinary warranty problems are not covered by these rules. Suspected boat or equipment defects may be reported to the Recreational Boating Product Assurance Branch by writing: Commandant (G-NAB-6), U.S. Coast Guard, 2100 2nd Street, SW, Washington, DC 20593-0001.

In addition to the more visible activities carried out by the Coast Guard on behalf of recreational boating safety, the Recreational Boating Product Assurance Program has been working with voluntary standards organizations to investigate and highlight elements of boat and associated equipment construction that could be improved and/or standardized to reduce the probability of an accident occurring.

CONSUMER INFORMATION & ASSISTANCE

A Consumer Affairs and Analysis Branch provides a central point of contact at Coast Guard Headquarters where users of Coast Guard services can go with questions or complaints concerning Coast Guard programs and policies. Although situated to deal primarily with the Coast Guard's Recreational Boating Safety Program, the staff will assist consumers who want information, or need help in resolving problems, in other public-oriented Coast Guard programs (e.g. vessel documentation, commercial vessel operator licenses, aids to navigation services, drawbridge operations, water pollution, search and rescue services, and vessel boardings for law enforcement purposes).

The Consumer Affairs and Analysis Branch produces and distributes information on Coast Guard activities and policies through press releases, media articles, a consumer column in the Boating Safety Circular, and a series of Coast Guard Consumer Fact Sheets. The Fact Sheets cover specific topics of current interest to consumers (e.g. Pros & Cons of Documenting a Boat, Marine Sanitation Devices on Boats, Sources of Boating Safety Education, etc.). Single copies of the Boating Safety Circular and the Fact Sheets are available at no charge.

The Consumer Affairs and Analysis Branch also operates a toll-free Boating Safety Hotline (telephone: (800)-368-5647). The Hotline is designed to: (1) Tell boat owners and buyers whether a particular boat model has been involved in a safety recall (in some recalls, manufacturers are only able to notify a small percentage of current owners); (2) Take reports from owners concerning safety problems they are experiencing in their boats to determine if a safety recall is warranted; (3) Take feedback or comments from recreational boaters concerning Coast Guard law enforcement boardings; and (4) Answer questions on boating safety.

The Consumer Affairs and Analysis Branch can be contacted on the Boating Safety Hotline (telephone: (800)-368-5647; in the Washington, D.C. area, 267-0780) or by writing to: Commandant (G-NAB-5), U.S. Coast Guard, 2100 2nd Street, SW, Washington, DC 20593-0001.

Located at Coast Guard Headquarters in Washington, DC, the Hotline is in operation Monday through Friday from 8:00 a.m. to 4:00 p.m. eastern time.

THE NATIONAL NONPROFIT PUBLIC SERVICE ORGANIZATION GRANT PROGRAM

The Coast Guard is authorized to provide grants to national nonprofit public service organizations for projects that benefit national boating safety activities. Twenty two grant awards totalling $1,750,000 were made in Fiscal Year 1992 to sixteen organizations:

Organization	Project	Funding
American Boat and Yacht Council	Provide public member committee expense reimbursement	$40,000
American Camping Association	Develop a safe boating curriculum for organized youth camps	$100,000
American Recreation Coalition	Develop an information program for the Boating Safety portion of the Wallop-Breaux fund	$130,000
American Waterways Operators Foundation	Produce and distribute a "Lifelines" boating safety video	$40,000
American Waterways Operators Foundation	Redesign and distribute a "Lifelines" boating safety brochure	$70,000
BOAT/US Foundation for Boating Safety	Produce and distribute a series of brochures for recreational boat passengers	$90,000

Center for Recreational Communication	Produce a video on safe handling of power boats	$60,000
Marine Index Bureau Foundation[1]	Continue development of an insurance-based boating accident reporting system	$100,000
Marine Retailers Association of America	Reprint a poster on the Coast Guard Hotline for the National Safe Boating Week campaign	$42,000
Marine Retailers Association of America	Produce and distribute stickers on the Coast Guard Hotline	$11,000
Marine Retailers Association of America	Continue to write and print a Boating Safety supplement to the Association newsletter	$47,000
National Association of State Boating Law	Continue to support a cooperative State boating program; provide administrative, travel, and newsletter funding	$245,000
National Association for Equal Opportunity in Higher Education	Implement a pilot boating education program at selected Historically Black Colleges/Universities (HBCUs)	$75,000
National Public Services Research Institute	Conduct a pilot field sobriety testing program for boat operators	$52,000
National Public Services Research Institute	Study the effects of alcohol upon human functioning in the marine environment	$29,000
National Safe Boating Council	Provide support for the National Safe Boating Week campaign and the National Boating Education Seminar	$185,000
National Safety Council	Evaluate existing materials on the hazards of drinking and boating, and prepare guidelines for uniform alcohol education	$90,000
National Water Safety Congress	Fund Congress professional development seminar speakers	$5,000
Safety at Sea Institute	Produce and distribute safety notebooks	$55,000
Underwriters Labs	Research smoke detector requirements for boats	$56,000
Underwriters Labs	Conduct basic and intermediate boating accident investigation seminars	$190,000
Underwriters Labs	Study boat aluminum fuel tanks	$38,000

[1] The Coast Guard expects to publish data from this grant in a separate report which will appear as a supplement to Boating Statistics 1993.

U.S. RECREATIONAL VESSEL FEE

One of the provisions of the Omnibus Budget Reconciliation Act of 1990 required owners of certain recreational boats used upon the navigable waters of the United States to pay an annual Recreational Vessel Fee (RVF). Under recently enacted legislation the RVF program will be phased out in three stages and will cease to apply after October 1, 1994:

1. **After October 1, 1992**, the Recreational Vessel Fee ceases to apply to recreational vessels that are 21 feet or less in length.
2. **Effective October 1, 1993**, the Recreational Vessel Fee ceases to apply to recreational vessels that are less than 37 feet in length.
3. **Effective October 1, 1994**, the RVF program ceases to apply to recreational vessels.

No changes have been proposed for recreational vessels already exempt from the Recreational Vessel Fee requirements (public vessels, foreign vessels, etc.) or to the waters where RVF requirements apply. The fee does not apply to uninspected passenger or other commercial vessels. In addition, as a result of an interpretive rule published in the Federal Register on October 22, 1992 [57 FR 48319], when operated only for quality control testing, demonstration, or while enroute to and from display for sale, manufacturers' and dealers' vessels are being used as commercial vessels, and are not subject to the Recreational Vessel Fee.

After October 1, 1992, the Recreational Vessel Fee (RVF) applies to:

(a) Any vessel over 21 feet in length that is manufactured or operated primarily for pleasure including "livery" or rental boats rented for recreational use; and

(b) In the case of a documented vessel, the fee applies if the vessel has a recreational endorsement, even though it may have one or more commercial endorsements.

Effective October 1, 1992

Cost of Recreational Vessel Fee

Category	Length	Cost
~~"A"~~	~~Greater than 16 feet but less than 20 feet~~	~~$25~~ (Eliminated)
"B"	More than 21 feet to less than 27 feet	$35
"C"	At least 27 feet but less than 40 feet	$50
"D"	At least 40 feet	$100

Effective October 1, 1993

Cost of Recreational Vessel Fee

Category	Length	Cost
~~"A"~~	~~Greater than 16 feet but less than 20 feet~~	~~$25~~ (Eliminated)
~~"B"~~	~~More than 21 feet to less than 27 feet~~	~~$35~~ (Eliminated)
"C"	37 feet to less than 40 feet	$50
"D"	40 feet and larger	$100

Effective October 1, 1994

RVF Program Eliminated

The Recreational Vessel Fee does not apply to manually propelled recreational vessels, foreign recreational vessels in U.S. waters less than 30 days a calendar year, and certain other limited categories of exempt vessels.

All boats subject to the Recreational Vessel Fee must display a pair of RVF decals securely attached within six inches of the location of the vessel registration numbers on the forward half of the vessel. For vessels not required to display a vessel number, the decals should be attached where such a number would be located if required. A pair of decals must be purchased for each vessel that is subject to the RVF requirement, regardless of how many vessels are owned by a purchaser of the decals.

RVF decals may be obtained by using a MasterCard or VISA on a toll-free ordering number, 1-800-848-2100, which is in operation 'round the clock; or by mailing a completed decal request form and payment by check, money order, VISA or MasterCard. A pair of decals will be return-mailed in about two weeks. Decal request forms are available at most Coast Guard units, or may be obtained by calling the toll-free Boating Safety Hotline at (800) 368-5647.

GLOSSARY

At anchor - Held in place in the water by an anchor; includes "moored" to a buoy or anchored vessel and "dragging anchor".

Cabin motorboat - Motorboats with a cabin which can be completely closed by means of doors or hatches. Large motorboats with cabins, even though referred to as yachts, are considered to be cabin motorboats.

Capsizing - Overturning of a vessel. The bottom must become uppermost, except in the case of a sailboat, which lies on its side.

Collision with another vessel - Any striking together of two or more vessels, regardless of operation at time of the accident, is a collision. (Also includes colliding with the tow of another vessel, regardless of the nature of the tow, i.e., surfboard, ski ropes, skier, tow line, etc.)

Collision with fixed object - The striking of any fixed object, above or below the surface of the water.

Collision with floating object - Collision with any waterborne object above or below the surface that is free to move with the tide, current, or wind, except another vessel.

Cruising - Proceeding normally, unrestricted, with an absence of drastic rudder or engine changes.

Documented yacht - A vessel of five or more net tons owned by a citizen of the United States and used exclusively for pleasure with a valid marine document issued by the Coast Guard. Documented vessels are not numbered.

Drifting - Underway, but proceeding over the bottom without use of engines, oars or sails; being carried along only by the tide, current, or wind.

Fallen Skier - A person who has fallen off their waterskis.

Fault of operator - Speeding; overloading; improper loading, not properly seating occupants of boat; no proper lookout; carelessness; failure to heed weather warnings; operating in a congested area; not observing the Rules of the Road; unsafe fueling practices; lack of experience; ignorance of aids to navigation; lack of caution in an unfamiliar area of operation; improper installation or maintenance of hull, machinery or equipment; poor judgment; recklessness; overpowering the boat; panic; proceeding in an unseaworthy craft; operating a motorboat near persons in the water; starting engine with clutch engaged or throttle advanced;

irresponsible boat handling such as quick, sharp turns.

Fiberglass (plastic) hull - Hulls of fiber reinforced plastic. The laminate consists of two basic components, the reinforcing material (glass filaments) and the plastic or resin in which it is embedded.

Fire/explosion (fuel) - Accidental combustion of vessel fuel, liquids, including their vapors, or other substances, such as wood or coal.

Fire/explosion (other) - Accidental burning or explosion of any material on board except vessel fuels or their vapors.

Flooding - Filling with water, regardless of method of ingress, but retaining sufficient buoyancy to remain on the surface.

Fueling - Any stage of the fueling operation; primarily concerned with introduction of explosive or combustible vapors or liquids on board.

Grounding - Running aground of a vessel, striking or pounding on rocks, reefs, or shoals; stranding.

Improper loading - Loading, including weight shifting, of the vessel causing instability, limited maneuverability, or dangerously reduced freeboard.

Improper lookout - No proper watch; the failure of the operator to perceive danger because no one was serving as lookout, or the person so serving failed in that regard.

Inboard-outboard - Also referred to as inboard/outdrive. Regarded as inboard because the power unit is located inside the boat.

Maneuvering - Changing of course, speed, or similar boat handling action during which a high degree of alertness is required or the boat is imperiled because of the operation, i.e. docking, mooring, undocking, etc.

Motorboat - Any vessel equipped with propulsion machinery, not more than sixty-five feet in length.

Motor vessel - Any vessel equipped with propulsion machinery (other than steam) more than 65 feet long.

Numbered vessel - An undocumented vessel numbered by a state with an approved numbering system or by the Coast Guard under Chapter 123 of title 46, U.S.C.

Open Motorboat - Craft of open construction specifically built for operating with a motor, including boats canopied or fitted with temporary partial shelters.

Outboard - An engine not permanently affixed to the structure of the craft, regardless of the method or location used to mount the engine, e.g., motor wells, "kicker pits", motor pockets, etc.

Overloading - Excessive loading of the vessel causing instability, limited maneuverability, dangerously reduced freeboard, etc.

Personal Watercraft - Craft less than 13 feet in length designed to be operated by a person or persons sitting, standing or kneeling on the craft rather than within the confines of a hull.

Rules of the Road - Statutory and regulatory rules governing navigation of vessels.

Sailboat or auxiliary sailboat - Craft intended to be propelled primarily by sail, regardless of size or type.

Sinking - Losing enough buoyancy to settle below the surface of the water.

Speeding - Operating at a speed, possibly below the posted limit, above that which a reasonable and prudent person would operate under the circumstances.

Steel hull - Hulls of sheet steel or steel alloy, not those with steel ribs and wood, canvas, or plastic hull coverings.

Struck by boat or propeller - Striking of a victim who is outside of the boat, but not necessarily a swimmer.

Swamping - Filling with water, particularly over the side, but retaining sufficient buoyancy to remain on the surface.

Towing - Engaged in towing any vessel or object, other than a person.

Wood hull - Hulls of plywood, molded plywood, wood planking, or any other wood fiber in its natural consistency, including those of wooden construction that have been "sheathed" with fiberglass or sheet metal.

BOATING SAFETY REGULATIONS

The following are regulations issued by the Coast Guard under the authority of Title 46, U.S. Code:

1. Especially Hazardous Conditions, 33 CFR 177. Describes specific unsafe boating conditions in which use of a boat could be especially dangerous. Issued July 7, 1972; effective August 7, 1972.

2. Defect Notification, 33 CFR 179. Requires manufacturers to notify consumers of safety defects in boats and associated equipment. Issued August 4, 1972; effective September 3, 1972.

3. Manufacturer Requirements, 33 CFR 181. Requires certification of compliance for manufacturers of recreational boats subject to federal standards. Also requires manufacturers to assign hull identification numbers to their boats. Issued August 4, 1972; effective November 1, 1972.

4. Boat and Associated Equipment Standards, 33 CFR 183. Requires basic flotation and sets load and horsepower capacities for boats under twenty feet in length. Issued August 4, 1972; effective November 1, 1972, except for the flotation standard, effective August 1, 1973.

5. Vessel Numbering and Accident Reporting, 33 CFR 173 & 174. Establishes uniform system for registering and numbering boats with propulsion machinery. Establishes procedures for reporting boating accidents. Issued October 7, 1972; effective July 1, 1973.

6. Personal Flotation Devices, 33 CFR 175. Establishes new requirements for carriage of personal flotation devices (PFDs). Classifies PFDs into types I, II, III, IV, and V to indicate the general level of performance. Issued March 28, 1973; effective October 1, 1973.

7. Hazardous Bars, 33 CFR 177. Defines unsafe boating conditions which can exist in certain coastal bars and inlets in Oregon and Washington. Issued January 23, 1974; effective February 22, 1974.

8. Manifestly Unsafe Voyage, 33 CFR 177. Defines unsafe conditions that can exist for recreational boats in prolonged open-sea voyages. Issued March 18, 1974; effective April 17, 1974.

9. Amendment to Inboard Safe Loading Standard, 33 CFR 183. Relaxes the safe loading standard for inboard boats, particularly as it applies to high performance boats. Issued August 13, 1975; effective February 9, 1976.

10. Amendment to Safe Loading and Safe Powering Standards, 33 CFR 183. Clarifies terms in the standards that had been misunderstood, e.g., "level", "beam", "length". Issued September 23, 1975; effective March 23, 1976.

11. Amendment to Flotation Standard, 33 CFR 183. Amends the table used to calculate the weight of outboard engines. Adds a new category of outboard engines over 150 HP. Issued March 18, 1976; effective September 15, 1976.

12. Amendment to Coast Guard Procedural Rules, 33 CFR 1. Describes the procedure followed by the Coast Guard in issuing written warnings to boat operators for minor violations

of boating safety laws or regulations. Issued April 29, 1976; effective April 29, 1976.

13. Amendment to Numbering Regulations, 33 CFR 173 and 174. Updates information in the numbering regulations. Primarily, notes that the District of Columbia and Guam have approved numbering systems. Issued June 10, 1976; effective June 10, 1976.

14. Amendment to U. S. Customs Service Regulations, 33 CFR 12. (A joint Treasury - Coast Guard regulation.) Ensures that imported boats and associated equipment which are not in compliance with safety standards and regulations are brought into compliance before being used or offered for sale. Issued June 10, 1976; effective July 12, 1976.

15. Amendment to PFD Regulations, 33 CFR 175. Revokes the provision which permits a person using a white water canoe or kayak to use a non-approved life saving device because approved PFDs that are suitable for white water use became available. Issued June 14, 1976; effective October 1, 1977.

16. Amendment to Safe Loading and Flotation Standards, 33 CFR 183. Clarifies the meaning of certain terms in the standards, e.g. "boat weight" and "permanent appurtenances". Excepts submersible boats, surface effect vehicles, and amphibious vehicles from the flotation standard. Issued January 13, 1977; effective July 22, 1977.

17. Amendment to Safe Loading Requirements for Low- and Non-Powered Boats, 33 CFR 183. Establishes a more reasonable formula for calculating the safe loading capacity of low-powered and non-powered boats, e.g. dinghies, dories, rowboats. Issued January 13, 1977; effective July 22, 1977.

18. Fuel and Electrical Standards for Boats, 33 CFR 183. Establishes fuel and electrical standards for the manufacture of boats using inboard gasoline engines for propulsion or electrical power in order to prevent fires and explosions. Issued January 31, 1977; effective dates of the requirements vary from August 1, 1977 to August 1, 1978.

19. Flotation Standards for Boats, 33 CFR 183. Establishes level flotation standards on rowboats and outboard boats less than 20 feet in length, the boats most often involved in swamping and capsizing accidents, so that the boat will float level when swamped and provide a safe platform until rescue. Issued April 18, 1977; effective August 1, 1978.

20. Amendment to Fuel and Electrical Standards for Boats, 33 CFR 183. Revises several broad or unnecessary requirements. Issued July 14, 1977; effective August 1, 1977.

21. Personal Flotation Device Pamphlet, 33 CFR 181. Requires manufacturers of personal flotation devices (PFD) to provide with each PFD a pamphlet containing information on the selection, care, and proper use of PFDs. Issued March 9, 1977; effective September 1, 1978.

22. U. S. - Canadian Agreement on Assignment of Hull Identification Numbers, 33 CFR 181. Advises of an agreement between the U. S. and Canadian Coast Guards to coordinate assignment of manufacturers ID codes in hull identification numbers (HIN), allowing a boat manufacturer to use the same HIN system when marketing boats in U. S. and Canada. Issued April 10, 1978; effective April 10, 1978.

23. Amendment to Numbering Regulations, 33 CFR 173. Permits owners of leased or chartered vessels to retain the certificate of number when the rental is for less than seven days. Issued April 27, 1978; effective April 27, 1978.

24. Amendment to Fuel Systems Standard, 33 CFR 183. Delayed the effective date of fuel pump and carburetor requirements from August 1, 1978 to February 1, 1979 to give industry more time to comply with the new regulations. Issued September 17, 1978; effective September 17, 1978.

25. Amendment to Electrical Systems Standard, 33 CFR 183. Delayed the effective date of ignition protection requirements from August 1, 1978 to February 1, 1979 to give industry more time to comply with the new regulations. Issued September 17, 1978; effective September 17,

1978.

26. Amendment to Flotation Systems Standard, 33 CFR 183. Allows use of flotation material that is not resistant to gasoline or other solvents if it is installed in a part of the boat where it will not come in contact with these liquids or vapors. Establishes performance specifications for flotation material to help manufacturers determine if their flotation material will meet the standard. Issued December 4, 1978; effective August 1, 1979.

27. Amendments to Numbering and Accident Reporting Regulations, 33 CFR 173 & 174. Clarifies circumstances of a reportable injury. Extends the time limit for reporting accidents that don't involve death or personal injury from 5 to 10 days. Increases the maximum property damage in a non-reportable accident from $100 to $200. Clarifies that the rulemaking authority must determine the causes of reported accidents. Issued January 25, 1979; effective February 26, 1979.

28. Amendments to Numbering and Accident Reporting Regulations, 33 CFR 174. Leaves to the states the manner in which an invalid number sticker must be removed, conditions under which the number and validation sticker must be removed; and content of the report required of the operator in case of death or disappearance. Issued July 19, 1979; effective August 20, 1979.

29. Amendment to Electrical System Standard, 33 CFR 183. Permits circuit breakers to be located up to 7 inches away from the power source, or up to 40 inches away if the conductor is additionally protected by a sheath or enclosed box, if it is physically impossible to locate the circuit breaker at the power source. Issued November 5, 1979; effective November 5, 1979.

30. Operator Requirement for Visual Distress Signals, 33 CFR 175. Requires operators of boats used on coastal waters to carry approved (for both day and night) visual distress signals, e.g. orange smokes, orange distress flags, flares, electric distress lights. Exempts boats used in approved regattas, open sailboats less than 26 feet, rowboats, canoes, and other boats under 16 feet in length during daylight hours. Issued December 17, 1979; effective January 1, 1981.

31. Ventilation Standard for Boats, 33 CFR 175 and 183. Requires closed compartments with gas engines, including generators, on boats built on or after August 1, 1980 to be ventilated by a blower system of a certain standard. Requires engine compartments, and in certain circumstances fuel tank compartments, to have natural ventilation. Requires operators of such boats to keep certain parts of the blower system operable. Issued December 17, 1979; effective August 1, 1980.

32. Amendment to Capacity Information Label on Boats, 33 CFR 183. Requires a bright yellow background on the label. Requires the capacity to be shown in number of persons as well as pounds on boats less than 20 feet in length. Adds a method to determine the number of persons that a boat can safely hold. Issued January 10, 1980; effective August 1, 1980.

33. Amendment to Visual Distress Signal Regulations to Accept Hand-Held Red Flares, 33 CFR 175. Adds hand-held red flares to the lists of visual distress signals (see item 30). Issued July 3, 1980; effective January 1, 1981.

34. Start-in-Gear Protection Devices on Outboard Motors, 33 CFR 181 & 183. Requires manufacturers of an outboard motor with 115 lbs. or more of static thrust (7-9 hp) to provide built-in start-in-gear protection (SIGP) in the outboard motor or a label stating that the outboard motor must be installed with a compatible remote control which contains the SIGP. All manufacturers of remote starting controls must affix a label to their controls telling whether or not the control system has SIGP. Dealers installing an outboard motor with the remote controls must insure that SIGP is provided. Issued January 15, 1981; effective August 1, 1982.

35. Application for Certificate of Numbers, Change in Required Contents, 33 CFR 174. No longer requires states to obtain information on date of birth and citizenship of vessel owners applying for Certificates of Number. Issued February 25, 1982; effective March 29,1982.

36. Amendment to Visual Distress Signal Requirements, 33 CFR 175. Amendment clarifies the language concerning the carriage requirements. A revised table shows the approval

numbers of acceptable pyrotechnic signal devices. A grandfather clause was inserted to allow pyrotechnic signal launchers manufactured before 1 January 1981 to be continued to be used in launching of approved signals. Issued June 7, 1982; Effective June 7, 1982.

37. Amendment to Correction of Especially Hazardous Conditions Aboard Boats, 33 CFR 177. Amendment is editorial in nature and reflects changes made in other Statutes cited by the "Hazardous Conditions" regulations. These changes include reference to the Inland Navigational Rules Act of 1980. Issued August 23, 1982; Effective August 23, 1982.

38. Amendment to Boat Hull Identification Numbers, 33 CFR 181. Amendment makes alteration or removal of the HIN more difficult; requires the placement of an additional HIN which will enable identification of the boat even if primary HIN is altered or removed; requires a single HIN format; and makes the removal or alteration of a HIN a violation of Federal law. Issued September 9, 1983; Effective August 1, 1984.

39. Amendment to Electrical and Fuel System Standards, 33 CFR 183. Amendment repeals and revises standards determined to be no longer necessary. These changes were made after a review effort to lessen regulatory burden upon recreational boat manufacturers, while insuring that an adequate level of safety is maintained. The amendment makes numerous changes to regulations affecting batteries, conductors, overcurrent protection, fuel tanks, fuel stop valves, hose clamps, seals and gaskets, hose identification, and anti-siphon protection. Issued December 15, 1983. Effective June 11, 1984.

40. Amendment to Visual Distress Signal Requirements, 33 CFR 175. Amendment revises definition of "coastal waters" where visual distress signals are required to be carried on vessels. Issued February 27, 1984. Effective August 27, 1984.

41. Amendment to Certification, Safe Loading and Flotation Standards, 33 CFR 181 & 183. Amendment revises or removes sections of the regulations which have been determined to be no longer necessary or to have limited value in improving boating safety. Weights of outboard motors, which are used to determine safe loading capacities, are updated. The amount of flotation material required to be installed in boats is also revised. Issued October 5, 1984. Effective April 3, 1985.

42. Amendment to Certification, Safe Loading and Flotation Standards, 33 CFR 181 & 183. Amendment clarifies the intent of the regulations after the amendment issued October 5, 1984. Manufacturers of boats rating a maximum persons capacity of less than 550 pounds must not exceed the lesser calculated value obtained by performing two tests described in §§ 183.39 & 183.41. Issued May 2, 1985. Effective May 2, 1985.

43. Amendment to Personal Flotation Devices, 46 CFR 160. This interim final rule establishes approval requirements for hybrid PFDs. Use of the approved hybrid PFDs is optional but, if carried, certain limitations apply. Issued August 22, 1985. Effective September 1, 1985 (except for §§ 160.077-25(a) & 160.077-25(e), whose effective dates will be published separately).

44. Amendment to Certification and Safe Powering Standards, 33 CFR 181 & 183. Amendment establishes a performance test as an alternative to the existing calculation method to allow higher horsepower capacities for certain high performance boats. The alternate test applies to recreational outboard boats 13 feet or less in length with remote wheel steering, a minimum 19-inch transom height or equivalent, and a capacity rating not to exceed two persons. Issued October 23, 1986. Effective August 1, 1987.

45. Amendment to Ventilation Standard, 33 CFR 183. Amendment removes the requirements for ventilation openings to face forward and for testing to show airflow. The requirements had virtually no impact on achieving necessary ventilation and their removal relieves a regulatory burden on recreational boat manufacturers. Issued October 23, 1986. Effective August 1, 1987.

46. Amendment to Fuel System Standard, 33 CFR 183. Amendment requires gasoline fuel

hose installed in new recreational boats to meet the performance requirements of SAE Standard J1527DEC85 instead of SAE Standard J30C. The change responded to safety concerns about the effects of increasing levels of aromatics and alcohols in fuels on permeation rates and longevity of hose meeting SAE Standard J30C. Issued April 20, 1987. Effective October 17, 1987.

47. Operating a Vessel While Intoxicated 33 CFR 95, 173, 174, and 177. Rule sets independent Federal standards based on an individual's behavior and blood alcohol concentration (BAC) for determining whether an individual operating a recreational vessel is intoxicated. It adopts enacted State BAC standards. It amends regulations to require specific information on the role of alcohol or drugs in reports of boating casualties. It allows Coast Guard personnel to terminate the use of a vessel when the operator is under the influence of an intoxicant to the extent that further operation of the vessel creates an unsafe condition. Penalties include a civil penalty up to $1,000 and a criminal penalty up to $5,000, up to one year imprisonment, or both. Issued December 14, 1987. Effective January 13, 1988.

48. Amendment to Electrical System Standard and Incorporation by Reference, 33 CFR 183. Amendment revises electrical standards for new recreational boats by incorporating Underwriters Laboratories (UL) Standard 1426 - Cables for Boats - in lieu of a general reference to independent testing laboratories that is no longer considered useful, and by deleting UL Standard 83 - Thermoplastic Insulated Wires and Cables. The change added the UL listed boat cable standard (UL 1426) which is now widely used for marine cable installed in recreational boats and made minor changes to the list of other standards incorporated by reference in Part 183, to reflect current publication dates and one address change. Issued September 23, 1988. Effective March 22, 1989.

49. Amendment to Personal Flotation Device Pamphlet Requirements, 33 CFR 175 & 181. Updates PFD Pamphlet Requirements by incorporating by reference the PFD pamphlet design and packaging requirements in Underwriters Laboratories, Inc. (UL) Standard for Marine Buoyant Devices (UL 1123). The rule terminated an interim exemption for PFD manufacturers (issued February 23, 1989) on February 4, 1991. The rule also revised other PFD related sections to reflect approval of special purpose Type V PFDs, and removed an obsolete exemption from PFD carriage requirements for certain kayaks and canoes, prior to October 1, 1977. Issued August 6, 1990; effective February 4, 1991.

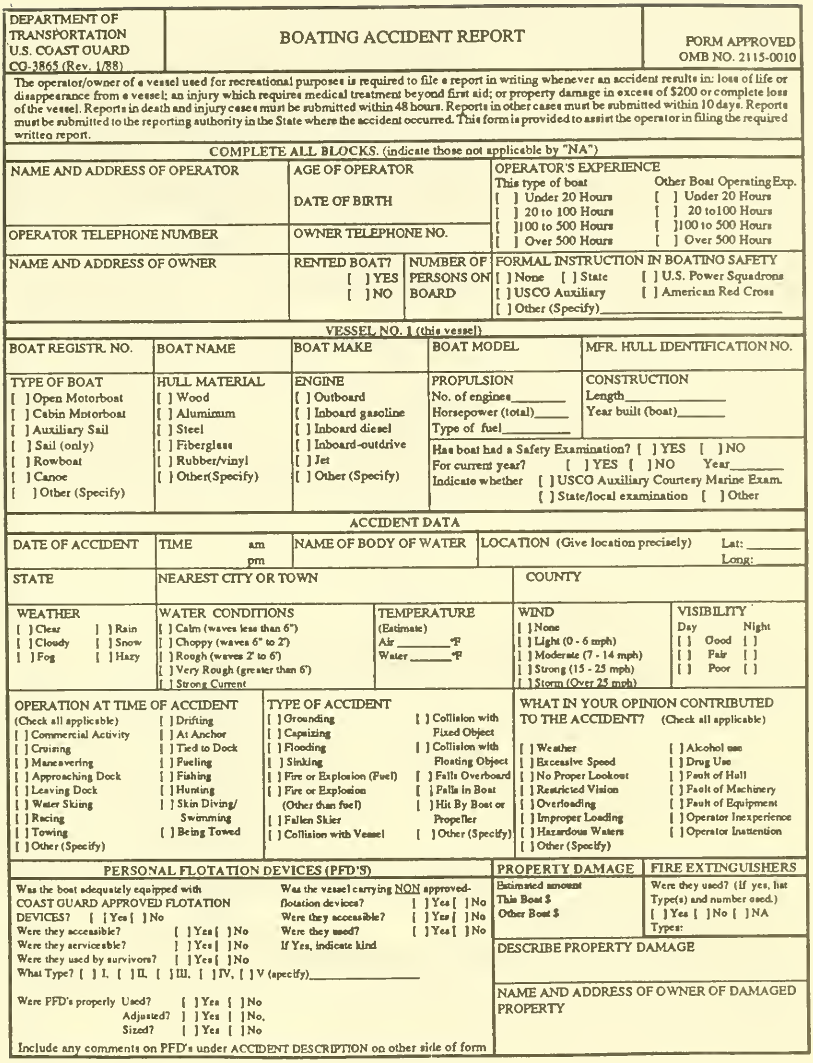
50. Exemption from Personal Flotation Device Pamphlet Requirements, 33 CFR 181. Exempts manufacturers subscribing to Underwriters Laboratories, Inc. (UL) Listing Services for Marine Buoyant Devices, Vests and Cushions from the burden of providing two pamphlets with each PFD, one under Coast Guard requirements and one under UL Standard 1123, while the Coast Guard conducts a rulemaking to update its PFD pamphlet requirements. Issued February 23, 1989; effective February 23, 1989.

51. Amendments to Numbering and Accident Reporting Regulations, 33 CFR 173. Corrected statutory citations and restatements of legislative text to reflect changes made in recodification of Title 46 of the United States Code. Updated the lists of issuing and reporting authorities to include additional State numbering and casualty reporting systems approved by the Coast Guard. Issued June 27, 1989; effective June 27, 1989.

52. Amendment to Personal Flotation Device Pamphlet Requirements, 33 CFR 175 & 181. Updates PFD Pamphlet Requirements by incorporating by reference the PFD pamphlet design and packaging requirements in Underwriters Laboratories, Inc. (UL) Standard for Marine Buoyant Devices (UL 1123). The rule terminated an interim exemption for PFD manufacturers (issued February 23, 1989) on February 4, 1991. The rule also revised other PFD related sections to reflect approval of special purpose Type V PFDs, and removed an obsolete exemption from PFD carriage requirements for certain kayaks and canoes, prior to October 1, 1977. Issued August 6, 1990; effective February 4, 1991.

53. Amendment to Backfire Flame Control Regulations, 46 CFR 25.35 and 58.10-5. Revises regulations to require backfire flame control devices meeting Society of Automotive Engineers

(SAE) Standard J1928 or Underwriters Laboratories (UL) Standard 1111 and labelled accordingly, in lieu of a Coast Guard approved device. Formerly, manufacturers of backfire flame arresters had their products tested by independent test laboratories and then submitted the test results to the Coast Guard. The Coast Guard then accpeted the test results as a basis for issuing a Coast Guard approval number. Amendments eliminate the submission of test reports and reduce the overall cost and burden in staff hours and paperwork for both industry and the government, while providing a better method for ensuring that flame arresters comply with Coast Guard regulations. Issued July 29, 1991; effective August 28, 1991.



DEPARTMENT OF
TRANSPORTATION
U.S. COAST GUARD
CG-3865 (Rev. 1/88)

BOATING ACCIDENT REPORT

FORM APPROVED
OMB NO. 2115-0010

The operator/owner of a vessel used for recreational purposes is required to file a report in writing whenever an accident results in: loss of life or disappearance from a vessel; an injury which requires medical treatment beyond first aid; or property damage in excess of $200 or complete loss of the vessel. Reports in death and injury cases must be submitted within 48 hours. Reports in other cases must be submitted within 10 days. Reports must be submitted to the reporting authority in the State where the accident occurred. This form is provided to assist the operator in filing the required written report.

COMPLETE ALL BLOCKS. (indicate those not applicable by "NA")

NAME AND ADDRESS OF OPERATOR

AGE OF OPERATOR

DATE OF BIRTH

OPERATOR'S EXPERIENCE

This type of boat	Other Boat Operating Exp.
[ ] Under 20 Hours	[ ] Under 20 Hours
[ ] 20 to 100 Hours	[ ] 20 to100 Hours
[ ]100 to 500 Hours	[ ]100 to 500 Hours
[ ] Over 500 Hours	[ ] Over 500 Hours

OPERATOR TELEPHONE NUMBER

OWNER TELEPHONE NO.

NAME AND ADDRESS OF OWNER

RENTED BOAT?
[ ] YES
[ ] NO

NUMBER OF PERSONS ON BOARD

FORMAL INSTRUCTION IN BOATING SAFETY
[ ] None [ ] State [ ] U.S. Power Squadrons
[ ] USCG Auxiliary [ ] American Red Cross
[ ] Other (Specify)________________________

VESSEL NO. 1 (this vessel)

BOAT REGISTR. NO.

BOAT NAME

BOAT MAKE

BOAT MODEL

MFR. HULL IDENTIFICATION NO.

TYPE OF BOAT
[ ] Open Motorboat
[ ] Cabin Motorboat
[ ] Auxiliary Sail
[ ] Sail (only)
[ ] Rowboat
[ ] Canoe
[ ] Other (Specify)

HULL MATERIAL
[ ] Wood
[ ] Alumimum
[ ] Steel
[ ] Fiberglass
[ ] Rubber/vinyl
[ ] Other(Specify)

ENGINE
[ ] Outboard
[ ] Inboard gasoline
[ ] Inboard diesel
[ ] Inboard-outdrive
[ ] Jet
[ ] Other (Specify)

PROPULSION
No. of engines________
Horsepower (total)_____
Type of fuel__________

CONSTRUCTION
Length______________
Year built (boat)________

Has boat had a Safety Examination? [ ] YES [ ] NO
For current year? [ ] YES [ ] NO Year_______
Indicate whether [ ] USCO Auxiliary Courtesy Marine Exam.
[ ] State/local examination [ ] Other

ACCIDENT DATA

DATE OF ACCIDENT

TIME am pm

NAME OF BODY OF WATER

LOCATION (Give location precisely) Lat: ________ Long: ________

STATE

NEAREST CITY OR TOWN

COUNTY

WEATHER
[ ] Clear [ ] Rain
[ ] Cloudy [ ] Snow
[ ] Fog [ ] Hazy

WATER CONDITIONS
[ ] Calm (waves less than 6")
[ ] Choppy (waves 6" to 2')
[ ] Rough (waves 2' to 6')
[ ] Very Rough (greater than 6')
[ ] Strong Current

TEMPERATURE
(Estimate)
Air __________°F
Water ________°F

WIND
[ ] None
[ ] Light (0 - 6 mph)
[ ] Moderate (7 - 14 mph)
[ ] Strong (15 - 25 mph)
[ ] Storm (Over 25 mph)

VISIBILITY

Day		Night
[ ]	Good	[ ]
[ ]	Fair	[ ]
[ ]	Poor	[ ]

OPERATION AT TIME OF ACCIDENT
(Check all applicable)
[ ] Commercial Activity
[ ] Cruising
[ ] Maneuvering
[ ] Approaching Dock
[ ] Leaving Dock
[ ] Water Skiing
[ ] Racing
[ ] Towing
[ ] Other (Specify)
[ ] Drifting
[ ] At Anchor
[ ] Tied to Dock
[ ] Fueling
[ ] Fishing
[ ] Hunting
[ ] Skin Diving/ Swimming
[ ] Being Towed

TYPE OF ACCIDENT
[ ] Grounding
[ ] Capsizing
[ ] Flooding
[ ] Sinking
[ ] Fire or Explosion (Fuel)
[ ] Fire or Explosion (Other than fuel)
[ ] Fallen Skier
[ ] Collision with Vessel
[ ] Collision with Fixed Object
[ ] Collision with Floating Object
[ ] Falls Overboard
[ ] Falls in Boat
[ ] Hit By Boat or Propeller
[ ] Other (Specify)

WHAT IN YOUR OPINION CONTRIBUTED TO THE ACCIDENT? (Check all applicable)
[ ] Weather
[ ] Excessive Speed
[ ] No Proper Lookout
[ ] Restricted Vision
[ ] Overloading
[ ] Improper Loading
[ ] Hazardous Waters
[ ] Other (Specify)
[ ] Alcohol use
[ ] Drug Use
[ ] Fault of Hull
[ ] Fault of Machinery
[ ] Fault of Equipment
[ ] Operator Inexperience
[ ] Operator Inattention

PERSONAL FLOTATION DEVICES (PFD'S)

Was the boat adequately equipped with COAST GUARD APPROVED FLOTATION DEVICES? [ ] Yes [ ] No
Were they accessible? [ ] Yes [ ] No
Were they serviceable? [ ] Yes [ ] No
Were they used by survivors? [ ] Yes [ ] No
What Type? [ ] I, [ ] II, [ ] III, [ ] IV, [ ] V (specify)________________

Was the vessel carrying NON approved-flotation devices? [ ] Yes [ ] No
Were they accessible? [ ] Yes [ ] No
Were they used? [ ] Yes [ ] No
If Yes, indicate kind

Were PFD's properly Used? [ ] Yes [ ] No
Adjusted? [ ] Yes [ ] No.
Sized? [ ] Yes [ ] No

Include any comments on PFD's under ACCIDENT DESCRIPTION on other side of form

PROPERTY DAMAGE
Estimated amount
This Boat $
Other Boat $

FIRE EXTINGUISHERS
Were they used? (If yes, list Type(s) and number used.)
[ ] Yes [ ] No [ ] NA
Types:

DESCRIBE PROPERTY DAMAGE

NAME AND ADDRESS OF OWNER OF DAMAGED PROPERTY

If more than 3 fatalities and/or injuries, attach additional form(s).

DECEASED

NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM? [ ] Swimmer [ ] Non Swimmer	DEATH CAUSED BY [ ] Drowning [ ] Other [ ] DISAPPEARANCE	WAS PFD WORN? [ ] Yes [ ] No What Type?
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM? [ ] Swimmer [ ] Non Swimmer	DEATH CAUSED BY [ ] Drowning [ ] Other [ ] DISAPPEARANCE	WAS PFD WORN? [ ] Yes [ ] No What Type?
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM? [ ] Swimmer [ ] Non Swimmer	DEATH CAUSED BY [ ] Drowning [ ] Other [ ] DISAPPEARANCE	WAS PFD WORN? [ ] Yes [ ] No What Type?

INJURED

NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	MEDICAL TREATMENT [ ] Yes [ ] No
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	MEDICAL TREATMENT [ ] Yes [ ] No
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	MEDICAL TREATMENT [ ] Yes [ ] No

ACCIDENT DESCRIPTION

DESCRIBE WHAT HAPPENED (Sequence of events. Include Failure of Equipment. If diagram is needed attach separately. Continue on additional sheets if necessary. Include any information regarding the involvement of alcohol and/or drugs in causing or contributing to the accident. Include any descriptive information about the use of PFD's.)

VESSEL NO. 2 (if more than 2 vessels, attach additional form(s).

Name of Operator	Address	Boat Number
Telephone Number		Boat Name
Name of Owner	Address	

WITNESSES

Name	Address	Telephone Number
Name	Address	Telephone Number
Name	Address	Telephone Number

PERSON COMPLETING REPORT

SIGNATURE	Address	Telephone Number
QUALIFICATION (Check One) [ ] Operator [ ] Owner [ ] Investigator [ ] Other		Date Submitted

(do not use) - FOR REPORTING AUTHORITY REVIEW (use agency date stamp)

Causes based on (check one) [ ] This report [ ] Investigation and this report [ ] Investigation [ ] Could not be determined	Name of Reviewing Office	Date Received
Primary Cause of Accident	Secondary Cause of Accident	Reviewed By

BOATING ACCIDENT REPORT

ADDENDUM

FOR REPORTING AUTHORITY

NAME OF OPERATOR:________________________ DATE OF ACCIDENT:__________

ALCOHOL

For operator and each passenger indicate:

OPERATOR	TEST FOR ALCOHOL TAKEN? ☐ YES ☐ NO	TYPE OF TEST ☐ BLOOD ☐ BREATH ☐ URINE ☐ OTHER	TEST RESULTS ☐ POSITIVE ☐ NEGATIVE	BAC _____%
PASSENGER	TEST FOR ALCOHOL TAKEN? ☐ YES ☐ NO	TYPE OF TEST ☐ BLOOD ☐ BREATH ☐ URINE ☐ OTHER	TEST RESULTS ☐ POSITIVE ☐ NEGATIVE	BAC _____%
PASSENGER	TEST FOR ALCOHOL TAKEN? ☐ YES ☐ NO	TYPE OF TEST ☐ BLOOD ☐ BREATH ☐ URINE ☐ OTHER	TEST RESULTS ☐ POSITIVE ☐ NEGATIVE	BAC _____%
PASSENGER	TEST FOR ALCOHOL TAKEN? ☐ YES ☐ NO	TYPE OF TEST ☐ BLOOD ☐ BREATH ☐ URINE ☐ OTHER	TEST RESULTS ☐ POSITIVE ☐ NEGATIVE	BAC _____%
PASSENGER	TEST FOR ALCOHOL TAKEN? ☐ YES ☐ NO	TYPE OF TEST ☐ BLOOD ☐ BREATH ☐ URINE ☐ OTHER	TEST RESULTS ☐ POSITIVE ☐ NEGATIVE	BAC _____%

DRUGS

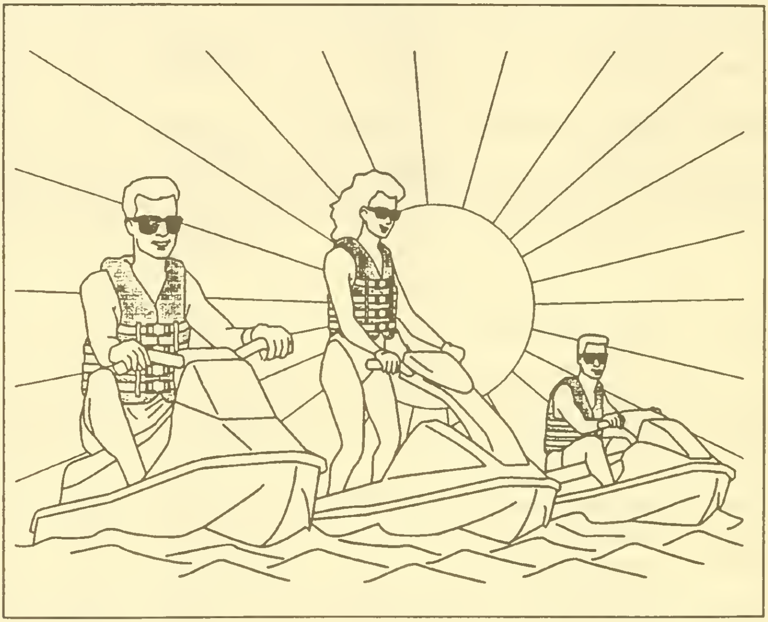
For operator and each passenger indicate:

OPERATOR	TEST FOR DRUGS TAKEN? ☐ YES ☐ NO	RESULTS ☐ POSITIVE ☐ NEGATIVE
PASSENGER	TEST FOR DRUGS TAKEN? ☐ YES ☐ NO	RESULTS ☐ POSITIVE ☐ NEGATIVE
PASSENGER	TEST FOR DRUGS TAKEN? ☐ YES ☐ NO	RESULTS ☐ POSITIVE ☐ NEGATIVE
PASSENGER	TEST FOR DRUGS TAKEN? ☐ YES ☐ NO	RESULTS ☐ POSITIVE ☐ NEGATIVE
PASSENGER	TEST FOR DRUGS TAKEN? ☐ YES ☐ NO	RESULTS ☐ POSITIVE ☐ NEGATIVE

NAME OF REVIEWING OFFICE	REVIEWED BY

U.S. Department
of Transportation
**United States
Coast Guard**

BOATING STATISTICS 1992



JUNE 1993
COMDTPUB P16754.6

U.S. Department
of Transportation
**United States
Coast Guard**

Commandant (G-NAB)
United States Coast Guard

MAILING ADDRESS:
Washington, DC 20593-0001
(202) 267-0955

COMDTPUB P16754.6

COMMANDANT PUBLICATION P16754.6

JUN 22 1993

FOREWORD

Under the authority of Title 46, United States Code, the Chief, Office of Navigation Safety and Waterway Services has been delegated the responsibility to collect, analyze, and annually publish statistical information obtained from recreational boat numbering and casualty reporting systems. Within this Office, the Auxiliary, Boating, and Consumer Affairs Division has Recreational Boating Safety Program responsibility.

Boating Statistics 1992, the 34th annual report, contains statistics on recreational boating accidents, State and Coast Guard boat numbering activities, and Coast Guard Auxiliary programs. The report also contains summaries of all regulations issued by the Coast Guard under the authority of Title 46, United States Code, and other safety program information.

This report is a result of the coordinated effort of the Coast Guard and those jurisdictions which have Federally approved boat numbering systems. These include the District of Columbia, Puerto Rico, Guam, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, and all States except Alaska.

This publication is distributed to Coast Guard units, Coast Guard Auxiliary flotillas, and to other organizations and individuals on the mailing list. The publication may be copied freely in the interest of boating safety. For questions and suggestions regarding content, availability of the current or back issues, and additions to the mailing list, use the address or telephone number at the top of this page.

William J. Ecker

WILLIAM J. ECKER
Rear Admiral, U.S. Coast Guard
Chief, Office of Navigation
Safety and Waterway Services

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A	1	1	1		1	1	1	1			1		1	1							1					
B		2	*	1	12			2		2		2		5	5		1	2			2					2
C	2	2		1	2				1		1	1	1			1		1		1			1			3
D	1	1	1	2				2		1																
E	1									5	5	5		1	1					1						
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INTRODUCTION

SCOPE

This report contains statistics on numbered boats and recreational boating accidents and information on boating safety activities for calendar year 1992. States and jurisdictions which have Federally approved boat numbering systems file official reports to provide the boat numbering statistics. Coast Guard numbering records cover the State of Alaska, which does not have an approved numbering system. Data for the accident statistics come from three sources: copies of Boating Accident Reports forwarded to the Coast Guard by those jurisdictions with an approved numbering and casualty reporting system; reports submitted directly to the Coast Guard in Alaska; and reports of Coast Guard investigations of fatal boating accidents that occurred on waters under Federal jurisdiction.

ACCIDENT REPORTING

Current regulations (33 CFR 173-4) require that the operator of any vessel that is numbered or used for recreational purposes file a report if the vessel is involved in an accident that results in:

1. Loss of life; or
2. Personal injury which required medical treatment beyond first aid; or
3. Damage to the vessel and other property exceeding $500; or
4. Complete loss of the vessel.

Boat operators are required to report their accidents to authorities of the State in which the accident occurred, or directly to the Coast Guard if it occurred in Alaska. States with approved numbering systems furnish the Coast Guard with copies of Boating Accident Reports. The minimum reporting requirements are set by Federal regulation, but States are allowed to have stricter requirements. The statistics in this publication cover only accidents meeting the Federal minimum reporting requirements.

Most States use Boating Accident Report forms which are very similar to the Coast Guard form. A copy of the Coast Guard form is at the end of this report. Microfiche of Boating Accident Reports and investigation reports are filed at Coast Guard Headquarters for statistical purposes only.

The statistics in this publication cover boating accidents reported on waters of joint Federal and State jurisdiction and exclusive State jurisdiction. The statistics include any reports received of accidents on waters under exclusive jurisdiction of Alaska, even though the reports are not required.

Accidents covered in this report occurred during calendar year 1992. Only those reported to Coast Guard Headquarters by April 5, 1993 are included in the statistics.

CASES EXCLUDED FROM REPORT

The following types of cases involving recreational boats are not included in this report:

1. Accidents involving only slight injury which did not require medical treatment beyond first aid or involving property damage of not more than $500;

2. Accidents which were not caused or contributed to by a vessel, its equipment or its appendages;

3. Accidents in which the boat was used solely as a platform for other activities, such as swimming or skin diving. Three fatalities from such accidents were reported by the States in 1992. Such cases are not included because the victims freely left the safety of their boat. However, if the victim is struck by another boat, the accident is reportable because of the involvement of the striking boat.

Accidents involving only commercial vessels are not included. All commercial accidents, even those involving vessels numbered under Title 46, United States Code, are reviewed and tabulated by the Coast Guard Office of Marine Safety, Security and Environmental Protection and published in the Proceedings of the Marine Safety Council, CG-129.

USE OF THE STATISTICS

Users of the statistics in this report should be aware of the following facts which may affect results of analyses of non-fatal accidents:

1. The Boating Accident Reporting System does not include every accident involving a recreational vessel. Some accidents are not in the system because they are not required to be reported. Many more accidents are not reported because of ignorance of the law and difficulty in enforcing the law. We believe that only a small fraction of all non-fatal boating accidents occurring in the United States are reported to the Coast Guard or to local or State law enforcement agencies. The reporting rates of subgroups of accidents, such as those involving personal watercraft, propeller strikes, or whitewater, probably differ greatly depending upon unspecified variables. We do believe, however, that nearly all recreational boating fatalities are included in these statistics.

2. Federal regulations do not require the reporting of accidents on private waters, where States have no jurisdiction, or on State waters in Alaska, which does not have an approved numbering system. Reports of accidents on such waters are included in this report when received by the Coast Guard if they satisfy the other requirements for inclusion.

3. Non-fatal accidents cannot be assumed to have occurred in numbers proportional to the reported statistics because the act of reporting an accident is not a random sampling of accidents in the statistical sense. Rather, selection is based on the ability and willingness of those involved to file a report.

4. Fluctuations from year to year in non-fatal accident statistics may be caused by factors other than the change in the total number of recreational boating accidents. A seemingly small change in the low reporting rate may cause a relatively large change in the statistics.

BOAT NUMBERING

Chapter 123 of Title 46, United States Code requires each undocumented vessel equipped with propulsion machinery to be numbered in the State in which it is principally operated. The law allows the States and other jurisdictions to create their own numbering systems as long as they meet or exceed Federal requirements. At the end of 1992, only Alaska lacked its own approved numbering system. In that jurisdiction the Coast Guard performs the numbering function and requires only undocumented vessels equipped with propulsion machinery used on waters subject to the jurisdiction of the United States to be numbered. Many States (28) require the numbering of non-powered boats, such as sailboats. A list of the numbering requirements of the States is found on the following page.

The statistics on the following three pages are derived from reports which the participating States and other jurisdictions file with the Coast Guard. The statistics are actual counts of valid boat numbers which have been issued. Their accuracy is affected by several factors, including compliance of the boat owners with the numbering laws and the efficiency with which the various State numbering systems handle expired and new registrations. The numbering requirements for each jurisdiction are given so that comparisons may be made. Estimates are provided for non-reporting jurisdictions based on the growth in numbering as reported in the past.

NUMBERING DATA BY STATE

		TOTAL BOATS NUMBERED		
	RANK	1992	1991	SCOPE OF CURRENT BOAT NUMBERING SYSTEM
TOTAL		11,132,386	11,068,440	
Alabama	17	243,541	233,738	All motorboats, sailboats and rental boats
*Alaska	48	32,331	31,822	All motorboats used on Federal waters
Arizona	27	146,728	144,123	All watercraft
Arkansas	30	135,643	140,672	All motorboats with exceptions[2]
California	2	813,386	815,730	All motorboats; sailboats over 8 feet in length
Colorado	34	85,885	81,000[1]	All motorboats and sailboats
Connecticut	32	97,618	100,800	All motorboats; sailboats 19.5 feet or more in length
Delaware	44	40,288	47,910	All motorboats
Dist. of Col.	53	3,654	6,200	All watercraft
Florida	4	702,652	685,389	All motorboats
Georgia	13	283,898	276,362	All motorboats; sailboats 12 feet or more in length
Hawaii	51	13,970	13,592	All motorboats; sailboats over 8 feet in length
Idaho	36	68,827	67,018	All motorboats and sailboats
Illinois	10	349,053	360,894	All motorboats; sailboats over 12 feet in length
Indiana	23	196,260	269,883	All motorboats
Iowa	20	197,866	172,495	All watercraft with exceptions[3]
Kansas	33	97,242	94,413	All motorboats and sailboats
Kentucky	29	137,711	138,128	All motorboats
Louisiana	12	300,172	290,812	All motorboats
Maine	31	112,981	111,308	All motorboats
Maryland	24	180,391	180,508	All motorboats
Massachusetts	28	145,991	145,789	All motorboats
Michigan	1	877,581	863,888	All motorboats
Minnesota	3	727,152	723,071	All watercraft with exceptions [4]
Mississippi	22	196,545	185,909	All motorboats and sailboats
Missouri	15	283,065	277,473	All motorboats; sailboats over 12 feet in length
Montana	42	41,299	43,397	All motorboats; sailboats 12 feet or more in length
Nebraska	38	56,626	58,112	All motorboats
Nevada	40	43,819	43,163	All motorboats
New Hampshire	35	79,379	82,100	All watercraft
New Jersey	26	156,288	155,290	All motorboats; all other boats over 12 feet in length
New Mexico	45	39,920	36,253	All motorboats and sailboats
New York	7	438,342	437,579	All motorboats
North Carolina	14	283,396	280,251	All motorboats
North Dakota	41	42,270	39,480	All motorboats
Ohio	8	382,218	383,136	All watercraft
Oklahoma	21	197,846	190,600	All watercraft except jonboats with less than 10 hp
Oregon	25	180,138	177,043	All motorboats; sailboats 12 feet or more in length
Pennsylvania	11	311,776	301,804	All motorboats
Rhode Island	49	31,966	31,216	All watercraft
South Carolina	9	351,753	333,467	All motorboats
South Dakota	43	41,212	35,685	All motorboats; all other boats over 12 feet in length
Tennessee	16	255,043	247,661	All motorboats and sailboats
Texas	5	569,482	600,329	All motorboats
Utah	37	61,970	60,243	All motorboats and sailboats
Vermont	47	36,270	41,951	All motorboats
Virginia	19	206,369	202,616	All motorboats
Washington	18	226,555	220,463	All motorboats; sailboats 16 feet or more in length
West Virginia	39	44,714	43,423	All motorboats
Wisconsin	6	512,234	500,917	All motorboats; sailboats over 12 feet in length
Wyoming	50	24,110	23,284	All motorboats
Guam	54	1,737	512[1]	All motorboats
Puerto Rico	46	36,648	34,034	All motorboats
Virgin Islands	52	7,777	4,545	All motorboats
Am. Samoa	56	114	59	All motorboats
N. Marianas	55	684	900	All motorboats

*Alaska did not have an approved numbering system as of December 31, 1992. The Coast Guard is the numbering authority.

[1] Estimate (No report received)

[2] Arkansas excludes boats with motors of 10 HP or less used only during daylight.

[3] Iowa excludes inflatables under 7 feet in length and canoes/kayaks under 13 feet in length.

[4] Minnesota excludes non-motorized boats 9 feet in length and under, duckboats during duckhunting season, and riceboats during harvest season.

CLASSIFICATION OF NUMBERED MOTORBOATS BY PROPULSION AND HULL MATERIAL[1] - 1992
(PERCENT)

		WOOD	FIBERGLASS	METAL[2]	INFLATABLE	OTHER	TOTAL	CLASS
Less than 16 ft	Outboard	1.17	15.57	25.92	.57	2.01	45.24	Class A
	Inboard	**.08**	**3.91**	**1.10**	**.05**	**.14**	**5.28**	**50.52**
16 ft to less than 26 ft	Outboard	.60	16.71	11.24	.04	.49	29.08	Class 1
	Inboard	**.38**	**15.14**	**.82**	**.17**	**.12**	**16.63**	**45.71**
26 ft to less than 40 ft	Outboard	.04	.35	.34	.01	.01	.75	Class 2
	Inboard	**.36**	**2.04**	**.15**	**.008**	**.01**	**2.57**	**3.32**
40 ft to 65 ft	Outboard	.008	.01	.05	.006	.002	.08	Class 3
	Inboard	**.06**	**.22**	**.08**	**.001**	**.005**	**.37**	**.45**
Total	Outboard	1.82	32.64	37.55	.63	2.51	75.15	
Total	**Inboard**	**.88**	**21.31**	**2.15**	**.23**	**.28**	**24.85**	
Total by Material		**2.70**	**53.95**	**39.70**	**.86**	**2.79**		

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[1] Includes 10,229,843 numbered motorboats under 65 feet. All boats reported to be registered as inboard-outdrives were counted as inboards, and where the States' reports broke down auxiliary sailboats between inboard and outboard, those boats were included in this table. For a few States with incomplete information, the boats were distributed by using previous years' reports. The 902,543 boats registered by the States but not shown in this table include: 206,198 non-powered sailboats; 73,831 auxiliary sailboats (type of engine unknown); 224,433 non-powered canoes; 120,114 non-powered rowboats; 60,950 personal watercraft; 4,786 motorboats over 65 feet in length; and 212,231 miscellaneous boats.

[2] Includes steel and aluminum.

CLASSIFICATION OF NUMBERED MOTORBOATS BY PROPULSION AND HULL MATERIAL - 1988- 1991
(PERCENT)

1991

	WOOD	FIBERGLASS	METAL	INFLATABLE	OTHER	TOTAL
TOTAL	2.94	53.74	39.65	.92	2.75	
OUTBOARD	2.02	34.46	38.55	.63	2.53	78.19
INBOARD	.92	19.28	1.10	.29	.22	21.81

1990

	WOOD	FIBERGLASS	ALUMINUM	STEEL	OTHER	TOTAL
TOTAL	2.90	54.48	39.67	.56	2.07	
OUTBOARD	2.20	35.07	38.38	.54	1.89	78.08
INBOARD	1.02	19.41	1.29	.02	.18	21.96

1989

	WOOD	FIBERGLASS	ALUMINUM	STEEL	OTHER	TOTAL
TOTAL	3.76	53.91	38.19	.92	3.22	
OUTBOARD	2.63	36.00	37.41	.77	2.95	79.76
INBOARD	1.13	17.91	.78	.15	.27	20.24

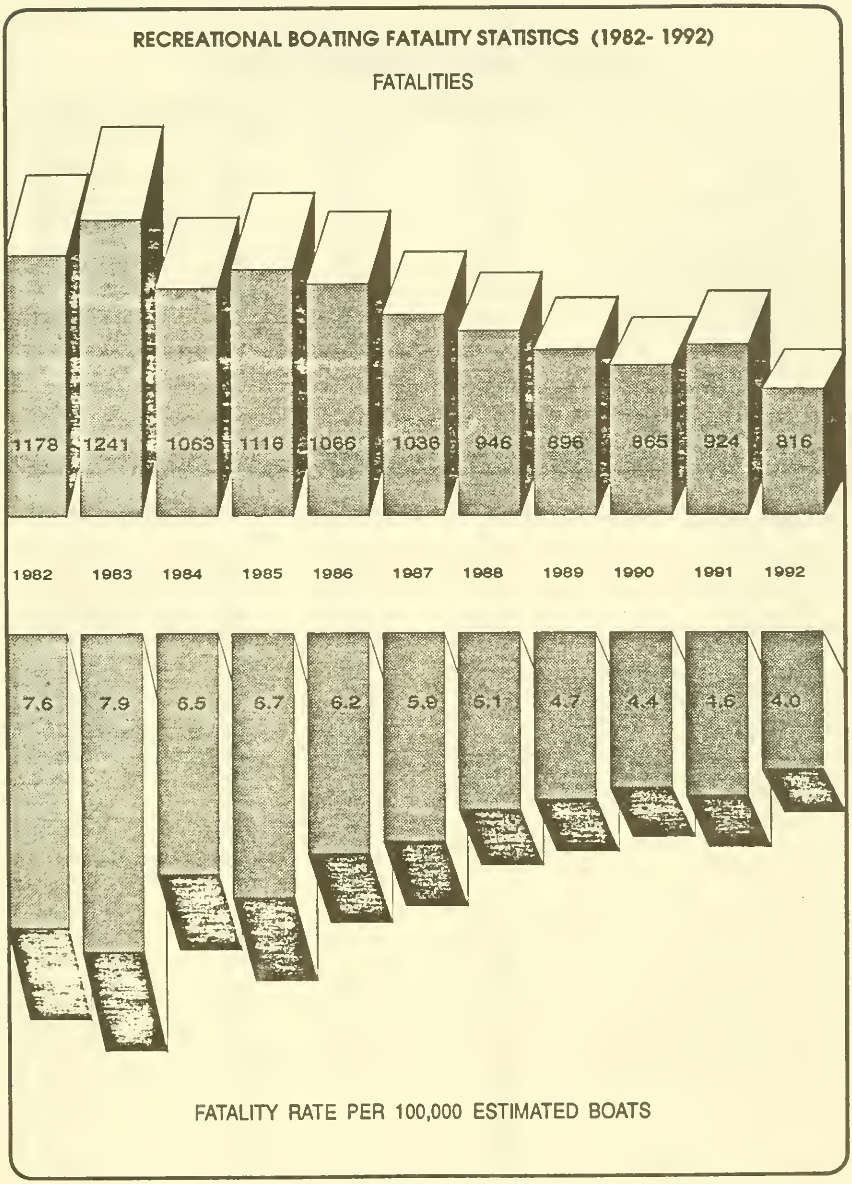
1988

	WOOD	FIBERGLASS	ALUMINUM	STEEL	OTHER	TOTAL
TOTAL	4.33	52.67	38.72	.94	3.34	
OUTBOARD	3.04	36.33	37.85	.78	3.04	81.04
INBOARD	1.29	16.34	.87	.16	.30	18.96

FATALITY RATE

The best available indicator of safety in recreational boating is the fatality rate, which relates the number of fatalities to the changing boat population. The Coast Guard's fatality rate is the number of reported fatalities per 100,000 recreational boats (estimated). The most meaningful fatality rate would be based on the exposure of boaters to the risks of boating, measured in passenger-hours, but such detailed, annual, nationwide information is not available. The estimate of the number of boats in the United States is based on nationwide telephone surveys conducted by the Coast Guard for the years 1973 and 1976 and by the American Red Cross in 1989 under a Coast Guard grant.

YEAR	FATALITIES	ESTIMATED NUMBER OF BOATS	FATALITY RATE PER 100,000 BOATS
1962	1114	5.95	18.7
1963	1167	6.05	19.3
1964	1192	6.2	19.2
1965	1360	6.35	21.4
1966	1318	6.5	20.3
1967	1312	6.65	19.7
1968	1342	6.85	19.6
1969	1350	7.1	19.0
1970	1418	7.4	19.2
1971	1582	7.85	20.2
1972	1437	8.5	16.9
1973	1754	9.6	18.3
1974	1446	10.75	13.5
1975	1466	11.8	12.4
1976	1264	12.75	9.9
1977	1312	13.3	9.9
1978	1321	13.6	9.7
1979	1400	14.1	9.9
1980	1360	14.6	9.3
1981	1208	15.1	8.0
1982	1178	15.5	7.6
1983	1241	15.8	7.9
1984	1063	16.3	6.5
1985	1116	16.7	6.7
1986	1066	17.3	6.2
1987	1036	17.7	5.9
1988	946	18.4	5.1
1989	896	19.0	4.7
1990	865	19.5	4.4
1991	924	20.0	4.6
1992	816	20.3	4.0



RECREATIONAL BOATING FATALITY STATISTICS (1982- 1992)

FIVE YEAR SUMMARY OF BOATING ACCIDENTS

1992 TYPE OF ACCIDENT	TOTAL	FATALITIES	INJURIES	PROPERTY DAMAGE
Grounding	341	16	203	$3,140,600
Capsizing	458	248	222	$2,912,300
Swamping/Flooding	323	82	93	$1,120,200
Sinking	202	30	25	$1,353,900
Fire or Explosion of Fuel	194	1	213	$3,126,100
Other Fire or Explosion	101	3	22	$11,043,600
Collision with Another Vessel	2,203	79	1,369	$5,778,600
Collision with Fixed Object	839	74	503	$5,389,300
Collision with Floating Object	211	5	83	$633,200
Falls Overboard	431	212	257	$84,200
Falls Within Boat	167	3	172	$43,200
Struck by Boat or Propeller*	116	8	111	$2,200
Fallen Skier	299	9	293	$3,800
Other Casualty; Unknown	163	46	117	$135,500

* Of the 116 accidents involving "Struck by Boat or Propeller," 39 involved a boat strike and 62 involved a propeller strike. The remaining 15 accidents did not provide sufficient information to determine whether the victim was struck by the boat or the propeller.

1991 TYPE OF ACCIDENT	TOTAL	FATALITIES	INJURIES	PROPERTY DAMAGE
Grounding	378	15	225	$3,180,300
Capsizing	553	326	249	$1,223,900
Swamping/Flooding	334	60	117	$1,064,700
Sinking	199	11	33	$1,408,000
Fire or Explosion of Fuel	267	5	177	$3,826,200
Other Fire or Explosion	94	9	25	$2,928,000
Collision with Another Vessel	2,311	82	1,406	$6,379,100
Collision with Fixed Object	869	67	576	$3,844,200
Collision with Floating Object	217	19	71	$663,200
Falls Overboard	479	260	254	$110,100
Falls Within Boat	157	1	167	$15,900
Struck by Boat or Propeller	188	9	191	$1,600
Fallen Skier	344	6	340	$400
Other Casualty; Unknown	183	54	136	$126,700

1990 TYPE OF ACCIDENT	TOTAL	FATALITIES	INJURIES	PROPERTY DAMAGE
Grounding	390	14	240	$2,123,400
Capsizing	545	289	259	$1,073,700
Swamping/Flooding	252	60	55	$920,800
Sinking	210	11	38	$1,391,300
Fire or Explosion of Fuel	274	14	141	$3,671,300
Other Fire or Explosion	97	2	22	$3,252,900
Collision with Another Vessel	2,242	81	1,376	$7,180,500
Collision with Fixed Object	864	76	545	$2,959,600
Collision with Floating Object	269	13	100	$834,000
Falls Overboard	451	239	260	$90,600
Falls Within Boat	139	1	164	$71,900
Struck by Boat or Propeller	183	7	180	$7,100
Fallen Skier	324	8	321	$0
Other Casualty; Unknown	171	50	121	$231,600

FIVE YEAR SUMMARY OF BOATING ACCIDENTS

1989 TYPE OF ACCIDENT	TOTAL	FATALITIES	INJURIES	PROPERTY DAMAGE
Grounding	385	13	243	$2,097,400
Capsizing	576	330	258	$973,700
Swamping/Flooding	228	70	77	$1,337,200
Sinking	219	31	54	$1,168,800
Fire or Explosion of fuel	303	7	179	$6,325,300
Other Fire or Explosion	60	6	11	$2,049,400
Collision with Another Vessel	2,039	60	1,265	$6,707,500
Collision with Fixed Object	797	60	509	$2,665,000
Collision with Floating Object	296	8	116	$1,284,900
Falls Overboard	428	217	252	$103,400
Falls Within Boat	119	0	142	$92,000
Struck by Boat or Propeller	65	6	60	$3,900
Fallen Skier	343	9	337	$14,000
Other Casualty; Unknown	205	79	132	$410,700

1988 TYPE OF ACCIDENT	TOTAL	FATALITIES	INJURIES	PROPERTY DAMAGE
Grounding	432	18	216	$2,156,100
Capsizing	608	305	286	$1,313,800
Swamping/Flooding	265	64	45	$824,100
Sinking	276	36	52	$1,589,600
Fire or Explosion of Fuel	385	5	176	$7,117,100
Other Fire or Explosion	42	3	11	$1,019,400
Collision with Another Vessel	2,351	76	1,321	$6,187,900
Collision with Fixed Object	848	78	449	$2,460,400
Collision with Floating Object	376	13	126	$1,193,500
Falls Overboard	450	260	222	$58,000
Falls Within Boat	97	3	101	$18,800
Struck by Boat or Propeller	48	11	40	$5,400
Fallen Skier	325	10	317	$19,100
Other Casualty; Unknown	215	64	114	$368,900

1992	TOTAL	FATALITIES	INJURIES	PROPERTY DAMAGE
	6,048	816	3,683	$34,766,700

1991	TOTAL	FATALITIES	INJURIES	PROPERTY DAMAGE
	6,573	924	3,967	$24,772,300

1990	TOTAL	FATALITIES	INJURIES	PROPERTY DAMAGE
	6,411	865	3,822	$23,808,700

1989	TOTAL	FATALITIES	INJURIES	PROPERTY DAMAGE
	6,063	896	3,635	$25,233,200

1988	TOTAL	FATALITIES	INJURIES	PROPERTY DAMAGE
	6,718	946	3,476	$24,332,100

JURISDICTION OF BOATING ACCIDENTS BY STATE

This table includes statistics for only those accidents for which a determination of jurisdiction could be made from available information

1992	ALL REPORTED ACCIDENTS		FATAL ACCIDENTS		FATALITIES		VESSELS INVOLVED	
	4,796		692		814		6,471	
	EXCLUSIVE STATE	JOINT FEDERAL-STATE	EXCLUSIVE STATE	JOINT FEDERAL-STATE	EXCLUSIVE STATE	JOINT FEDERAL-STATE	EXCLUSIVE STATE	JOINT FEDERAL-STATE
TOTALS	1,518	3,278	392	300	428	386	2,009	4,462
Alabama	20	114	6	18	6	23	23	138
Alaska	0	29	0	9	0	13	0	36
Arizona	17	154	2	3	2	4	20	237
Arkansas	15	44	13	4	14	6	16	59
California	217	273	22	25	24	35	320	400
Colorado	43	0	4	0	4	0	53	0
Connecticut	14	34	0	1	0	1	21	44
Delaware	2	11	0	0	0	0	4	16
Dist. of Col.	0	2	0	1	0	1	0	4
Florida	68	605	39	28	43	32	82	807
Georgia	10	57	9	9	11	11	11	77
Hawaii	1	20	0	2	0	3	1	23
Idaho	21	14	4	0	4	0	25	16
Illinois	43	79	13	13	14	15	63	117
Indiana	61	13	8	1	8	1	88	17
Iowa	21	19	3	4	4	6	30	24
Kansas	29	0	7	0	7	0	40	0
Kentucky	7	55	1	9	1	21	8	64
Louisiana	19	51	7	11	7	12	26	64
Maine	13	0	13	0	13	0	13	0
Maryland	9	121	1	10	1	12	9	163
Massachusetts	8	6	5	1	5	2	11	8
Michigan	102	142	18	11	21	17	142	194
Minnesota	55	33	14	6	14	8	71	40
Mississippi	30	28	13	8	13	8	36	35
Missouri	26	157	6	10	6	12	32	225
Montana	6	4	4	1	4	1	7	4
Nebraska	17	0	2	0	4	0	26	0
Nevada	4	113	0	0	0	0	4	154
New Hampshire	15	3	7	1	8	1	17	4
New Jersey	6	172	2	3	2	5	7	237
New Mexico	7	10	2	0	2	0	10	14
New York	51	152	15	15	15	21	66	212
North Carolina	92	43	16	4	18	4	126	60
North Dakota	6	1	1	0	1	0	8	1
Ohio	29	96	15	11	17	15	35	121
Oklahoma	57	30	9	5	11	5	67	43
Oregon	24	53	3	5	4	5	31	67
Pennsylvania	40	67	13	3	14	3	53	90
Rhode Island	14	1	4	0	4	0	19	1
South Carolina	24	65	9	14	10	17	29	88
South Dakota	5	5	2	1	2	2	5	7
Tennessee	16	51	9	2	9	2	21	74
Texas	111	54	39	19	48	23	146	69
Utah	23	63	0	0	0	0	32	87
Vermont	0	11	0	1	0	3	0	18
Virginia	45	62	6	6	6	7	62	82
Washington	37	82	15	12	16	14	48	113
West Virginia	2	9	2	1	2	1	2	13
Wisconsin	32	61	9	10	9	12	39	82
Wyoming	4	0	0	0	0	0	4	0
Guam	0	0	0	0	0	0	0	0
Puerto Rico	0	5	0	1	0	1	0	9
Virgin Islands	0	0	0	0	0	0	0	0
Am. Samoa	0	4	0	1	0	1	0	4
No. Marianas	0	0	0	0	0	0	0	0

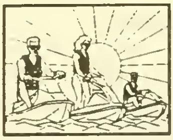
ACCIDENT DATA BY STATE

1992	NUMBER OF ACCIDENTS				NUMBER OF VESSELS INVOLVED IN ACCIDENTS				NUMBER OF PERSONS		PROPERTY DAMAGE ($)
	TOTAL	FATAL	NON-FATAL INJURY	PROPERTY DAMAGE	TOTAL	FATAL	NON-FATAL INJURY	PROPERTY DAMAGE	KILLED	INJURED NON-FATALLY	PROPERTY DAMAGE
TOTALS	6,048	693	2,591	2,764	8,206	694	2,699	4,813	816	3,683	34,766,700
Alabama	162	24	44	94	191	24	49	118	29	70	760,200
Alaska	30	9	6	15	37	9	7	21	13	13	282,400
Arizona	180	5	89	86	269	5	92	172	6	121	261,200
Arkansas	74	17	27	30	100	17	31	52	20	146	235,700
California	689	47	334	308	993	48	339	606	59	384	2,923,000
Colorado	51	4	21	26	63	4	21	38	4	30	72,000
Connecticut	53	1	17	35	72	1	17	54	1	26	351,700
Delaware	20	0	8	12	30	0	8	22	0	13	246,800
Dist. of Col.	2	1	1	0	4	1	1	2	1	5	37,000
Florida	930	67	429	434	1,270	67	448	755	75	575	6,017,800
Georgia	87	18	39	30	116	18	42	56	22	56	135,300
Hawaii	21	2	8	11	24	2	8	14	3	10	2,093,700
Idaho	49	4	16	29	59	4	17	38	4	21	109,300
Illinois	146	26	62	58	218	26	67	125	29	106	323,900
Indiana	91	9	48	34	124	9	50	65	9	60	171,900
Iowa	43	7	19	17	59	7	19	33	10	22	66,700
Kansas	38	7	12	19	53	7	12	34	7	18	91,600
Kentucky	73	10	24	39	88	10	24	54	22	34	577,200
Louisiana	95	18	48	29	120	18	51	51	19	87	343,800
Maine	52	13	16	23	63	13	16	34	13	22	96,600
Maryland	131	11	56	64	174	11	59	104	13	77	729,400
Massachusetts	29	6	9	14	37	6	10	21	7	16	96,200
Michigan	306	29	150	127	427	29	151	247	38	188	1,811,300
Minnesota	144	20	72	52	192	20	74	98	22	91	248,000
Mississippi	64	21	22	21	78	21	23	34	21	39	144,700
Missouri	228	16	96	116	317	16	99	202	18	128	635,300
Montana	23	5	7	11	28	5	7	16	5	13	20,600
Nebraska	21	2	10	9	32	2	10	20	4	12	24,200
Nevada	123	0	44	79	167	0	44	123	0	51	308,500
New Hampshire	51	8	22	21	59	8	23	28	9	27	79,200
New Jersey	197	5	66	126	275	5	70	200	7	90	413,700
New Mexico	27	2	11	14	36	2	11	23	2	12	32,500
New York	222	30	97	95	307	30	105	172	36	149	1,086,000
North Carolina	135	20	62	53	187	20	64	103	22	94	633,800
North Dakota	9	1	2	6	13	1	2	10	1	5	13,200
Ohio	156	26	39	91	205	26	41	138	32	58	1,711,600
Oklahoma	103	14	44	45	129	14	48	67	16	64	247,500
Oregon	89	8	33	48	115	8	34	73	9	46	7,893,700
Pennsylvania	117	16	55	46	157	16	57	84	17	75	281,100
Rhode Island	21	4	6	11	28	4	6	18	4	11	105,700
South Carolina	109	23	39	47	145	23	43	79	27	63	231,300
South Dakota	11	3	4	4	13	3	4	6	4	5	14,800
Tennessee	74	11	34	29	103	11	35	57	11	53	205,200
Texas	209	58	89	62	268	58	91	119	71	135	692,600
Utah	103	0	53	50	141	0	57	84	0	68	356,000
Vermont	15	1	7	7	22	1	7	14	3	11	36,400
Virginia	114	12	51	51	152	12	54	86	13	76	628,700
Washington	162	27	63	72	219	27	66	126	30	92	453,900
West Virginia	13	3	7	3	18	3	7	8	3	16	46,400
Wisconsin	143	20	69	54	192	20	73	99	23	93	337,200
Wyoming	4	0	2	2	4	0	2	2	0	3	4,100
Guam	0	0	0	0	0	0	0	0	0	0	0
Puerto Rico	5	1	1	3	9	1	2	6	1	2	18,100
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0
Am. Samoa	4	1	1	2	4	1	1	2	1	1	28,000
No. Marianas	0	0	0	0	0	0	0	0	0	0	0

TYPES OF ACCIDENTS BY STATE

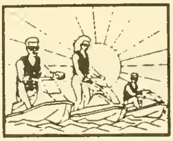
1992	NUMBER OF VESSELS INVOLVED IN ACCIDENTS														VICTIMS		
	TOTAL VESSELS INVOLVED	GROUNDING	CAPSIZING	FLOODING [1]	SINKING	FIRE OR EXPLOSION (FUEL)	FIRE OR EXPLOSION (OTHER)	COLLISION WITH ANOTHER VESSEL	COLLISION WITH FIXED OBJECT	COLLISION WITH FLOATING OBJECT	FALLS OVERBOARD	FALLS WITHIN BOAT	STRUCK BY BOAT OR PROPELLER	OTHER CASUALTIES [2]	DROWNINGS	OTHER DEATHS	INJURIES
TOTALS	8,206	342	458	323	202	194	101	4,353	841	211	433	167	116	465	673	143	3,683
Alabama	191	8	10	10	7	4	4	64	38	25	9	2	2	8	23	6	70
Alaska	37	4	4	2	5	2	0	14	2	0	3	0	0	1	13	0	13
Arizona	269	5	2	17	8	6	0	175	16	5	8	7	4	16	2	4	121
Arkansas	100	4	12	3	6	5	0	55	9	0	6	0	0	0	15	5	146
California	993	49	46	14	15	13	6	613	67	16	35	16	20	83	46	13	384
Colorado	63	7	7	3	4	2	0	24	6	1	2	0	5	2	4	0	30
Connecticut	72	5	2	1	3	1	0	38	12	2	0	2	1	5	1	0	26
Delaware	30	2	2	1	0	0	0	18	6	0	1	0	0	0	0	0	13
Dist. of Col.	4	0	1	0	0	0	0	3	0	0	0	0	0	0	1	0	5
Florida	1,270	43	49	69	19	33	25	680	159	16	64	39	19	55	48	27	575
Georgia	116	4	10	3	8	4	1	60	4	5	8	1	2	6	22	0	56
Hawaii	24	1	6	5	1	0	0	6	0	1	0	0	0	4	3	0	10
Idaho	59	4	6	1	1	1	2	20	10	10	1	0	3	0	4	0	21
Illinois	218	5	14	8	5	2	3	144	14	2	7	1	3	10	21	8	106
Indiana	124	3	6	0	5	3	0	65	11	0	10	6	1	14	8	1	60
Iowa	59	2	3	1	0	0	0	32	9	4	3	2	0	3	10	0	22
Kansas	53	0	5	4	1	3	0	30	2	0	3	0	1	4	5	2	18
Kentucky	88	2	6	2	10	6	3	34	9	7	6	0	0	3	20	2	34
Louisiana	120	7	4	1	3	2	1	53	22	7	12	0	0	8	14	5	87
Maine	63	9	6	4	1	1	0	23	6	1	6	1	2	3	11	2	22
Maryland	174	3	5	7	5	8	10	88	14	2	9	5	0	18	9	4	77
Massachusetts	37	1	4	1	0	1	2	18	4	2	2	0	1	1	6	1	16
Michigan	427	10	30	16	8	4	2	232	27	5	31	21	6	35	33	5	188
Minnesota	192	10	15	6	5	3	4	95	12	3	17	6	2	14	22	0	91
Mississippi	78	2	5	4	4	3	0	32	12	1	11	0	0	4	19	2	39
Missouri	317	13	12	16	1	4	7	178	35	10	13	9	3	16	16	2	128
Montana	28	3	4	1	0	1	0	11	6	2	0	0	0	0	4	1	13
Nebraska	32	0	0	1	1	0	0	22	1	0	1	0	1	5	3	1	12
Nevada	167	15	1	11	9	6	1	89	12	3	4	6	1	9	0	0	51
New Hampshire	59	6	5	1	1	3	0	16	14	0	3	2	1	7	8	1	27
New Jersey	275	20	6	8	6	8	3	159	36	12	5	8	1	3	6	1	90
New Mexico	36	0	5	2	4	1	0	18	3	1	0	1	1	0	2	0	12
New York	307	17	25	11	0	4	3	172	30	10	16	4	4	11	33	3	149
North Carolina	187	4	9	5	5	5	0	106	24	4	13	0	2	10	20	2	94
North Dakota	13	0	1	2	0	0	0	8	1	0	1	0	0	0	1	0	5
Ohio	205	8	15	13	9	12	4	94	21	9	9	5	1	5	30	2	58
Oklahoma	129	3	17	10	10	6	2	53	3	1	10	1	1	12	14	2	64
Oregon	115	6	8	3	5	1	3	64	21	5	0	2	4	3	6	3	46
Pennsylvania	157	6	11	9	1	5	1	82	10	4	8	4	4	12	12	5	75
Rhode Island	28	1	1	1	1	0	0	17	2	0	1	0	0	4	4	0	11
South Carolina	145	4	9	6	7	4	1	70	15	3	16	2	2	6	26	1	63
South Dakota	13	1	2	0	0	0	0	6	1	1	2	0	0	0	4	0	5
Tennessee	103	6	7	6	2	3	3	57	6	4	8	0	0	1	8	3	53
Texas	268	6	24	13	4	8	0	120	40	5	21	3	9	15	59	12	135
Utah	141	10	2	3	4	2	3	75	18	0	9	1	0	14	0	0	68
Vermont	22	1	0	2	1	0	0	14	1	1	0	0	2	0	3	0	11
Virginia	152	6	3	5	4	3	3	77	22	7	12	2	2	6	8	5	76
Washington	219	9	19	1	2	7	4	118	21	8	13	3	4	10	24	6	92
West Virginia	18	0	2	1	0	0	0	13	0	2	0	0	0	0	2	1	16
Wisconsin	192	6	10	7	0	4	0	100	24	3	13	5	1	19	19	4	93
Wyoming	4	0	0	0	0	0	0	0	3	1	0	0	0	0	0	0	3
Guam	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Puerto Rico	9	0	0	1	0	0	0	8	0	0	0	0	0	0	0	1	2
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Am. Samoa	4	1	0	1	1	0	0	0	0	0	1	0	0	0	1	0	1
No. Marianas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Type of accident refers only to the first event that occurred. Some accidents involve more than one event. A grounding followed by a sinking is counted only as a grounding even though the sinking may have directly led to a fatality. [1] Includes swamping. [2] Includes unknowns.



FIVE YEAR SUMMARY OF SELECTED ACCIDENT DATA BY STATE 1988 - 1992

	TOTAL NUMBER OF ACCIDENTS					FATAL ACCIDENTS					FATALITIES				
	1988	1989	1990	1991	1992	1988	1989	1990	1991	1992	1988	1989	1990	1991	1992
TOTALS	6,718	6,063	6,411	6,573	6,048	815	764	738	779	693	946	896	865	924	816
Alabama	179	103	157	126	162	22	14	22	20	24	23	15	26	20	29
Alaska	42	35	34	44	30	27	29	18	21	9	34	37	21	29	13
Arizona	168	133	138	145	180	4	5	2	4	5	4	6	2	5	6
Arkansas	38	59	45	69	74	3	17	12	21	17	13	18	14	25	20
California	745	632	761	750	689	45	31	40	46	47	51	43	50	58	59
Colorado	72	63	59	67	51	7	8	6	8	4	8	10	8	10	4
Connecticut	3	34	97	72	53	9	4	10	10	1	12	5	11	11	1
Delaware	25	25	24	19	20	1	2	1	1	0	1	2	1	2	0
Dist. of Columbia	3	0	2	3	2	0	0	1	0	1	0	0	1	0	1
Florida	952	899	918	1,019	930	79	56	72	76	67	94	65	88	93	75
Georgia	125	104	90	110	87	21	18	15	22	18	22	21	17	24	22
Hawaii	31	40	21	19	21	4	1	2	4	2	5	1	3	5	3
Idaho	69	45	54	70	49	5	14	7	9	4	16	16	7	9	4
Illinois	95	83	124	159	146	17	14	21	28	26	19	17	24	32	29
Indiana	120	111	108	133	91	10	13	8	10	9	12	16	9	12	9
Iowa	44	28	32	49	43	8	4	8	8	7	8	4	8	13	10
Kansas	47	36	28	30	38	2	6	4	4	7	2	6	4	6	7
Kentucky	66	58	77	61	73	15	10	22	18	10	17	12	23	22	22
Louisiana	129	134	109	87	95	52	39	32	31	18	60	49	38	32	19
Maine	69	39	65	51	52	11	18	9	5	13	11	20	9	5	13
Maryland	224	173	188	185	131	12	21	15	24	11	16	25	15	26	13
Massachusetts	136	92	102	38	29	14	15	22	3	6	18	17	26	3	7
Michigan	357	315	322	357	306	25	30	28	38	29	30	34	32	56	38
Minnesota	174	162	147	162	144	21	15	15	16	20	23	16	17	17	22
Mississippi	55	57	72	62	64	13	13	22	26	21	19	17	23	30	21
Missouri	208	211	203	214	228	21	12	14	14	16	21	13	15	18	18
Montana	13	21	22	17	23	3	9	3	4	5	3	9	4	5	5
Nebraska	28	28	28	29	21	4	2	1	3	2	4	2	2	3	4
Nevada	104	89	121	129	123	3	4	4	3	0	4	7	4	4	0
New Hampshire	7	56	49	43	51	7	10	7	5	8	8	10	8	7	9
New Jersey	265	305	311	241	197	2	23	9	5	5	14	26	9	8	7
New Mexico	17	26	21	30	27	2	0	2	1	2	3	0	2	1	2
New York	301	284	295	257	222	31	25	24	20	30	38	33	26	22	36
North Carolina	135	152	123	137	135	24	24	29	23	20	26	25	33	27	22
North Dakota	10	7	3	12	9	2	1	0	2	1	2	1	0	2	1
Ohio	215	170	124	168	156	22	16	17	17	26	27	19	24	19	32
Oklahoma	45	50	72	87	103	14	12	12	16	14	20	13	15	18	16
Oregon	110	75	99	106	89	18	16	6	19	8	24	16	7	22	9
Pennsylvania	78	88	109	110	117	14	10	20	14	16	14	12	27	16	17
Rhode Island	82	57	30	38	21	2	7	3	2	4	2	9	4	2	4
South Carolina	91	79	105	85	109	27	26	26	29	23	31	31	32	35	27
South Dakota	13	19	12	25	11	1	4	1	1	3	2	5	1	2	4
Tennessee	82	67	76	84	74	12	22	20	18	11	13	25	26	20	11
Texas	276	249	218	227	209	63	67	43	56	58	72	78	51	61	71
Utah	97	71	82	83	103	4	1	3	2	0	4	1	4	2	0
Vermont	4	3	3	4	15	0	3	3	2	1	0	3	5	2	3
Virginia	94	118	134	106	114	22	26	21	18	12	27	26	24	20	13
Washington	135	141	163	188	162	25	17	30	25	27	28	21	36	30	30
West Virginia	28	24	18	21	13	8	8	3	5	3	10	10	3	5	3
Wisconsin	197	187	179	208	143	22	16	17	18	20	26	19	19	23	23
Wyoming	10	3	9	10	4	2	2	2	0	0	2	2	2	0	0
Guam	0	0	2	3	0	0	0	0	1	0	0	0	0	2	0
Puerto Rico	23	20	13	6	5	2	4	3	0	1	2	8	4	0	1
Virgin Islands	2	0	13	17	0	1	0	1	3	0	1	0	1	3	0
Am. Samoa	0	0	0	1	4	0	0	0	0	1	0	0	0	0	1
N. Marianas	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0



TYPES OF BOATING ACCIDENTS - 1992

	VESSELS INVOLVED	FATALITIES
TOTALS	**8,206**	**816**
Grounding	342	16
Capsizing	458	248
Swamping/Flooding	323	82
Sinking	202	30
Fire/Explosion (fuel)	194	1
Fire/Explosion (other)	101	3
Collision with another vessel	4,353	79
Collision with fixed object	841	74
Collision with floating object	211	5
Fallen Skier	299	9
Falls overboard	433	212
Falls within boat	167	3
Struck by boat or propeller	116	8
Other	129	18
Unknown	37	28

Published statistics on the types of boating accidents refer only to the first event that occurred in the accident sequence. Some accidents involve more than one event. A grounding followed by a sinking is counted only as a grounding, even though the sinking may have led directly to a fatality. The Coast Guard collects and maintains all of the sequential event data in a computer database which is available upon request. The table below reflects all events coded for each reported accident in 1992. Since there could be one, two or three events coded per accident, the numbers in the "Vessels Involved" and "Fatalities" columns are higher than those reflected in the table above. For example, there were 116 vessels involved in struck by boat or propeller accidents where the strike was the first accident event. However, if you add those cases where a boat capsized, a passenger fell overboard, or other event preceded the boat or propeller strike, the total number of events for vessels involved in struck by boat or propeller accidents is 347.

COMPILATION OF ALL EVENTS THAT OCCURRED IN BOATING ACCIDENT SEQUENCES - 1992

	VESSELS INVOLVED	FATALITIES
Grounding	411	20
Capsizing	609	310
Swamping/Flooding	382	88
Sinking	498	85
Fire/Explosion (fuel)	196	1
Fire/Explosion (other)	106	3
Collision with another vessel	4,385	79
Collision with fixed object	870	75
Collision with floating object	221	5
Fallen Skier	323	11
Falls overboard	1,289	591
Falls within boat	253	6
Struck by boat or propeller	347	46

TYPES OF ACCIDENTS BY LENGTH OF VESSEL

1992	NUMBER OF VESSELS INVOLVED IN ACCIDENTS														VICTIMS		
	TOTAL VESSELS INVOLVED	GROUNDING	CAPSIZING	FLOODING [1]	SINKING	FIRE OR EXPLOSION (FUEL)	FIRE OR EXPLOSION (OTHER)	COLLISION WITH ANOTHER VESSEL	COLLISION WITH FIXED OBJECT	COLLISION WITH FLOATING OBJECT	FALLS OVERBOARD	FALLS WITHIN BOAT	STRUCK BY BOAT OR PROPELLER	OTHER CASUALTIES [2]	DROWNINGS	OTHER DEATHS	INJURIES
TOTALS	**8,206**	**342**	**458**	**323**	**202**	**194**	**101**	**4353**	**841**	**211**	**433**	**167**	**116**	**465**	**673**	**143**	**3683**
Less than 16 ft	2,390	40	228	106	70	14	1	1372	190	32	201	42	35	59	335	46	1119
16 feet to less than 26 feet	3758	218	164	187	96	124	43	1623	494	143	166	96	67	337	206	69	2044
26 feet to less than 40 feet	783	53	9	17	22	41	33	436	85	27	19	14	2	25	24	10	202
40 feet to not more than 65 ft	291	19	4	4	10	10	20	160	38	3	4	5	4	10	9	2	56
More than 65 ft	17	1	0	0	1	1	1	9	3	0	1	0	0	0	1	0	0
Unknown	967	11	53	9	3	4	3	753	31	6	42	10	8	34	98	16	262

Type of accident refers only to the first event that occurred. Some accidents involve more than one event. A grounding followed by a sinking is counted only as a grounding even though the sinking may have directly led to a fatality. [1] Includes swamping. [2] Includes unknowns. [3] Includes vessels propelled by oars or a paddle

TYPES OF ACCIDENTS BY TYPE OF VESSEL

1992	NUMBER OF VESSELS INVOLVED IN ACCIDENTS														VICTIMS		
	TOTAL VESSELS INVOLVED	GROUNDING	CAPSIZING	FLOODING [1]	SINKING	FIRE OR EXPLOSION (FUEL)	FIRE OR EXPLOSION (OTHER)	COLLISION WITH ANOTHER VESSEL	COLLISION WITH FIXED OBJECT	COLLISION WITH FLOATING OBJECT	FALLS OVERBOARD	FALLS WITHIN BOAT	STRUCK BY BOAT OR PROPELLER	OTHER CASUALTIES [2]	DROWNINGS	OTHER DEATHS	INJURIES
TOTALS	**8,206**	**342**	**458**	**323**	**202**	**194**	**101**	**4,353**	**841**	**211**	**433**	**167**	**116**	**465**	**673**	**143**	**3,683**
Motorboat																	
Open	3,622	176	222	236	146	96	27	1440	460	128	236	75	66	314	357	77	2031
With Cabin	1,378	93	31	49	31	76	56	643	178	55	37	43	13	73	54	17	510
Sailboat																	
Auxiliary	392	33	10	4	7	6	12	252	39	4	7	5	0	13	6	4	60
No motor	87	3	22	2	0	1	0	36	8	0	11	1	1	2	20	2	32
Rowboat	88	2	42	8	1	0	0	8	4	1	21	0	0	1	68	1	29
Canoe/Kayak	109	0	69	4	1	0	0	9	11	2	8	0	0	5	78	2	42
Inflatable	38	0	16	0	1	0	0	8	6	0	4	1	1	1	25	2	11
Houseboat	94	3	1	1	5	5	3	52	7	1	4	1	4	7	2	0	34
PWC[3]	1,650	19	15	0	0	2	1	1357	89	12	72	33	28	22	8	26	730
Other	181	8	9	8	7	2	2	84	26	5	15	4	1	10	10	7	85
Unknown	567	5	21	11	3	6	0	464	13	3	18	4	2	17	45	5	119

Type of accident refers only to the first event that occurred. Some accidents involve more than one event. A grounding followed by a sinking is counted only as a grounding even though the sinking may have directly led to a fatality. [1] Includes swamping. [2] Includes unknowns. [3] Personal Watercraft

TYPES OF ACCIDENTS BY TYPE OF PROPULSION

1992	NUMBER OF VESSELS INVOLVED IN ACCIDENTS														VICTIMS		
	TOTAL VESSELS INVOLVED	GROUNDING	CAPSIZING	FLOODING [1]	SINKING	FIRE OR EXPLOSION (FUEL)	FIRE OR EXPLOSION (OTHER)	COLLISION WITH ANOTHER VESSEL	COLLISION WITH FIXED OBJECT	COLLISION WITH FLOATING OBJECT	FALLS OVERBOARD	FALLS WITHIN BOAT	STRUCK BY BOAT OR PROPELLER	OTHER CASUALTIES [2]	DROWNINGS	OTHER DEATHS	INJURIES
TOTALS	8,206	342	458	323	202	194	101	4353	841	211	433	167	116	465	673	143	3683
Outboard	2856	114	237	230	128	45	19	1162	340	83	233	60	28	177	349	74	1464
Inboard gas	1196	89	9	29	27	59	35	633	124	40	27	20	13	91	11	7	475
Inboard diesel	238	20	2	5	2	7	15	130	32	4	4	6	1	10	10	2	60
IB/OB	1479	89	22	36	28	73	27	655	214	67	40	50	45	133	41	20	809
Jet	1487	22	13	2	7	6	4	1198	82	13	62	26	25	27	9	27	643
Sail	88	3	21	2	0	1	0	40	6	0	10	1	1	3	21	2	28
Manual[3]	219	0	118	12	3	0	0	26	18	1	32	1	0	8	171	4	65
Other	45	1	14	1	2	0	0	11	8	2	5	1	0	0	9	1	27
Unknown	598	4	22	6	5	3	1	498	17	1	20	2	3	16	52	6	112

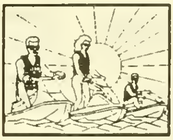
Type of accident refers only to the first event that occurred. Some accidents involve more than one event. A grounding followed by a sinking is counted only as a grounding even though the sinking may have directly led to a fatality. [1] Includes swamping. [2] Includes unknowns. [3] Includes vessels propelled by oars or a paddle

REPORTING OF ALCOHOL INVOLVEMENT

Historically, the reporting of alcohol involvement in recreational boating accidents has been lower than expected. Beginning in 1987 the recommended Boating Accident Report (BAR) form contained a block for indicating the involvement of alcohol in the accident. Obviously operators are not motivated to report themselves as having had alcohol before a boating accident occurred. Many BAR's are filed by law enforcement officials, who should not have failed to report the involvement of alcohol.

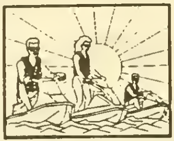
A study of fatalities in four States (California, Maryland, New Jersey, and North Carolina) showed that 51% of the fatalities had a BAC (Blood Alcohol Content) of .04 or more. BAC's of .10 or more were found in 31% of the fatalities. These States were chosen because they already collected BAC information for a significant number of fatalities.

The table at right shows alcohol involvement reporting for the last four years. These statistics include all victims in an alcohol-related accident, even if the victim, or operator of the boat carrying the victim, did not use alcohol.



ALCOHOL INVOLVEMENT IN BOATING ACCIDENTS
1989- 1992

	FATALITIES				INJURIES				BOATING ACCIDENT REPORTS WITH ALCOHOL INVOLVED			
	1989	1990	1991	1992	1989	1990	1991	1992	1989	1990	1991	1992
TOTAL	**144**	**134**	**179**	**166**	**381**	**549**	**424**	**311**	**486**	**568**	**513**	**504**
Alabama	3	6	1	3	7	8	4	9	7	12	6	9
Alaska	7	3	11	0	0	0	0	0	5	3	8	0
Arizona	0	0	0	1	6	6	14	13	3	5	11	21
Arkansas	3	2	3	3	11	1	3	12	9	6	6	13
California	6	2	7	6	10	15	12	9	16	18	23	30
Colorado	2	5	2	2	2	6	2	1	3	5	4	3
Connecticut	0	2	4	0	0	4	2	2	0	8	7	1
Delaware	0	0	0	0	0	4	0	0	0	1	0	2
Dist. of Columbia	0	1	0	0	0	0	0	0	0	1	0	1
Florida	7	27	12	21	94	125	71	52	91	135	85	72
Georgia	4	2	1	1	4	11	6	4	11	10	7	8
Hawaii	0	0	0	0	0	0	0	0	0	0	0	0
Idaho	0	1	1	1	0	0	7	5	0	2	7	7
Illinois	2	8	9	8	10	37	23	14	8	21	15	20
Indiana	6	3	6	2	14	13	10	4	19	22	16	12
Iowa	0	2	5	0	3	1	5	0	3	2	6	6
Kansas	0	0	0	2	0	1	0	3	0	3	0	7
Kentucky	0	1	1	14	5	3	7	4	1	4	5	8
Louisiana	3	6	12	1	14	11	14	4	14	8	18	4
Maine	3	0	1	0	1	1	1	2	5	1	2	2
Maryland	14	3	5	2	2	8	2	1	8	6	8	6
Massachusetts	6	2	2	3	7	11	0	3	9	5	2	3
Michigan	4	8	3	8	22	37	10	9	29	48	21	18
Minnesota	9	2	6	8	25	42	25	12	51	39	29	28
Mississippi	1	3	6	3	4	7	2	7	5	6	5	8
Missouri	4	4	2	3	10	29	15	40	16	23	17	44
Montana	3	0	0	2	0	3	2	0	3	1	2	2
Nebraska	0	0	1	0	2	2	2	0	3	2	2	0
Nevada	0	1	0	0	1	9	6	3	3	10	9	6
New Hampshire	5	0	5	1	5	0	6	1	7	1	5	3
New Jersey	1	0	3	2	8	7	16	19	11	11	8	15
New Mexico	0	0	0	0	1	3	0	0	3	1	3	0
New York	2	5	5	8	15	35	27	19	18	24	20	20
North Carolina	4	4	7	8	18	16	13	7	16	15	21	19
North Dakota	0	0	0	1	0	0	0	0	0	0	0	1
Ohio	6	5	4	14	12	9	21	9	9	10	21	20
Oklahoma	2	0	2	6	1	1	20	3	3	3	11	8
Oregon	1	0	4	0	1	7	7	3	3	8	6	5
Pennsylvania	5	3	10	7	11	9	15	3	15	9	13	11
Rhode Island	1	1	0	1	1	0	0	1	3	2	0	2
South Carolina	3	1	2	0	1	7	4	2	6	4	5	4
South Dakota	1	0	2	0	3	0	5	0	3	1	4	0
Tennessee	6	2	7	2	1	0	2	1	6	4	9	2
Texas	2	2	2	3	4	11	0	0	8	7	3	7
Utah	0	0	1	0	11	4	5	2	2	2	5	3
Vermont	0	2	1	0	0	0	2	1	0	1	1	1
Virginia	6	3	9	5	6	12	7	6	15	13	13	8
Washington	8	10	6	6	15	7	14	8	21	21	18	11
West Virginia	5	0	2	1	5	1	2	5	4	3	5	2
Wisconsin	6	2	5	7	8	25	13	8	10	21	20	21
Wyoming	0	0	0	0	0	0	0	0	0	3	0	0
Guam	0	0	0	0	0	0	0	0	0	0	0	0
Puerto Rico	3	0	0	0	0	0	0	0	1	0	0	0
Virgin Islands	0	0	1	0	0	0	0	0	0	0	1	0
Am. Samoa	0	0	0	0	0	0	0	0	0	0	0	0
Northern Marianas	0	0	0	0	0	0	0	0	0	0	0	0



CAUSES OF BOATING ACCIDENTS - 1992

	VESSELS INVOLVED	FATALITIES
TOTALS	**8,206**	**816**
LOADING OF PASSENGERS OR GEAR		
Overloading	82	69
Improper weight distribution	43	25
Sitting on gunwale, transom, bow, or back of seat	15	1
Movement of passengers	13	12
Hoisting or lowering of anchor	2	0
Leaning over edge of boat, moving or standing	66	39
FREE WATER IN BOAT		
Water entered over gunwale, bow or transom	75	3
Water entered through hull	108	11
EQUIPMENT		
Fuel system	85	1
Electrical system	48	0
Auxiliary power or heat equipment	26	0
Steering, throttle, or other non-power equipment	177	10
Improper navigation lights	41	4
Starting in gear	3	2
OPERATION OF VESSEL		
High speed maneuver	110	17
Improper lookout	973	32
View obstructed	78	2
Inattention or carelessness	1,066	112
Other violation of the Rules of the Road	55	2
Speeding	429	47
Navigational error	74	3
ENVIRONMENT		
Wake or wave striking vessel	331	10
Strong current, rough waters	549	149
Slippery surface or deck	15	2
Poor visibility	106	2
Submerged object	396	11
OTHER VESSEL AT FAULT	1,837	25
IGNITION OF SPILLED FUEL OR VAPOR	67	0
OTHER	1,103	91
UNKNOWN	233	134

NATIONAL ASSOCIATION OF STATE
BOATING LAW ADMINISTRATORS

June 24, 1993

Mr. Chairman and Members of the Subcommittee:

I am Jim French, Boating Programs Manager for the Washington State Parks and Recreation Commission and I serve as President of the National Association of State Boating Law Administrators. The National Association of State Boating Law Administrators (NASBLA) is a professional association consisting of State, Commonwealth, and Provincial officials having responsibility for administering state boating laws and managing a diversity of programs to ensure safe boating on the waterways of our individual states.

Accompanying me is Lt. Colonel Charles Clark, the Boating Law Administrator from the State of Louisiana, and the Vice President of our association. Charlie also wishes to address members of the subcommittee.

On behalf of Mr. Clark, myself, and our entire association, I thank you for this opportunity to provide testimony on the findings and recommendations of the recent National Transportation Safety Boards "Safety Study on Recreational Boating Safety." My testimony today will also cover the successes of state/federal partnership which was forged in order to ensure the wise and effective use of the Aquatic Resources Trust Funds (Wallop Breaux). Briefly I will describe the obstacles states experience in strengthening their boating safety efforts, and our projected program expansion should additional funding from the trust fund become available.

Noteworthy is the fact that the study was conducted by the National Transportation Safety Board, an independent federal agency dedicated to promoting aviation, railroad, highway and marine safety. The study was an in depth examination of fatal recreational boating accident reports, conducted in order to determine the circumstances of these accidents and to determine the counter-measures needed to prevent or reduce their number and severity. Our association feels the report has made strong and reasonable recommendations to federal, state and local agencies. We applaud the Safety Board for undertaking this study on such a grand scale. Obviously we must take an interest in any and all reports on boating safety, but in reality such studies are uncommon. Without this analytical study, future efforts toward improving boating safety nationwide will be based upon conjecture, conventional wisdom, and opinions. This study and its recommendations provide the critical policy positions for national debate, refinements and/or adoption.

My State of Washington was one of the 18 states which shared fatal boating accident reports with the Safety Board with the hope that their analysis would provide effective guidance to select the best combination of programs, regulations, and boater services to reach a higher level of safety. We are very impressed with the Safety Board's work and are willing to accept the challenge set forth in the study's recommendations to our state. But we also face obstacles to implementation. As is the case in all states, the legislature will determine when or if Washington adopts the Safety Boards recommendations. The effectiveness of implementation also depends on the financial resources available.

Interestingly the report was published at a time when the U.S. Coast Guard's fatality statistics indicate that recreational boating is at its safest level ever. The boating fatality rate, often used to gauge progress, is now at 4.0 fatalities per 100,000 recreational boats, documenting the success of the state/federal partnership to improve boating safety. This success story is seldom told by my peers, however, because we focus on the work yet to be accomplished, the lives yet to be saved. The 816 boating deaths in 1992 is our focus.

Some have suggested that the study, urging the states to take stronger action and to develop new initiatives in safe boating, contradicts the evidence that boating safety efforts are working very well. Everyone agrees that recreational boating has become safer over the past 20 years. However, everyone also recognizes that there are a few key chronic safety problems which are still not adequately addressed. These are the most difficult of problems and require strong measures. They include: 1) the unacceptable number of boaters who are uneducated regarding their responsibilities; 2) the threat of alcohol and drug abuse on our waterways; and 3) the failure to protect those at risk of drowning following a "small craft capsizing." Because these universally denounced practices still threaten the lives and safety of those who enjoy the challenge of recreational boating, NASBLA's executive board adopted the following position:

- We endorse NTSB's recommendation that states seek legislation to require a chemical test to determine alcohol concentration for a recreational boat operator involved in a fatal accident. (M-93-7)
- We agree to cooperate with the U.S. Coast Guard and the American Academy of Pediatrics to develop a uniform age at below which "boaters" should be required to wear personal floatation devices. (M-93-8)
- We agree to cooperate with the U.S. Coast Guard to develop minimum recreational boating safety standards including mandatory use of PFD's, mandatory education, and other result oriented measures. (M-93-9)

Our association has long been an advocate of each of these measures. We have adopted "Model Acts" and resolutions which are comprehensive legislative proposals for each of the issues. We welcome the opportunity to work with the U.S. Coast Guard and the American Academy of Pediatrics and will willingly amend our policy positions if necessary to accommodate their expert opinions to improve the possibility of safer boating.

Our Association's Policy Positions include:

* Guidelines for vessel operating under the influence Law and Enforcement Program. Adopted *October 3, 1984.*

* Personal Flotation Devices (PFD's) to be worn by children ages 12 and under. Adopted *October 12, 1988.*

* Model Act for Personal Watercraft. Adopted *September 26, 1991.*

* Resolution for National Guidelines for Mandatory Boating Safety Education. Adopted *October 2, 1987.*

Individual states have also adopted laws and regulations in these areas. Our association is always monitoring the progress of each state and when appropriate, adopts those successful actions into national policy positions. Examples of new initiatives being studies include:

* UTAH's requirement for mandating PFD use on all rivers.

* MASSACHUSETTS's requirement for mandatory PFD use during periods of cold weather for all canoes and kayaks.

* CONNECTICUT's requirement for vessel operator certification.

Our Law Enforcement and Uniform Boating Laws Committee is currently working on a Model Act for Recreational Boating Operator Licensing. This Model Act will take time to complete because our members painstakingly research the issues and attempt to formulate a policy position which can be implemented nationwide and receive the broadest support from boaters, industry, and government.

- We support the recommendation that the U.S. Coast Guard implement an improved fatal accident reporting system. (M-93-10)

All states participate in the federal recreational boating accident reporting system. Each year NASBLA works with the U.S. Coast Guard in a joint effort to improve the quality and quantity of accident data being entered. Utilizing the Trust Fund 5% grants for non-profit organizations, the U.S. Coast Guard has made excellent investments in improving this system. We are very pleased with recent progress resulting from grants to the Underwriter Laboratories for accident reconstruction research, accident investigation training, and to the Marine Index Bureau (MIB) for initiating a program of sharing data with the marine underwriters insurance industry. A new level of reliable data is on the horizon. But the details necessary for in depth analysis are still not available. The U.S. Coast Guard simply does not yet have access to the level of detail needed to conduct the type of boating accident analysis comparable to the NTSB study.

We support the improvements and encourage the U.S. Coast Guard themselves to conduct periodic fatality studies and analysis such as this NTSB Safety Study.

- We support the recommendation that the Memorandum of Understanding signed biennially by the states with the U.S. Coast Guard outline specifically the state's plan to increase PFD usage. (M-93-13)

- We **strongly disagree** with the recommendation that the U.S. Coast Guard use its funding authority to impose measures to increase PFD usage. (M-93-13)

- We support the recommendation that the Coast Guard evaluate the effectiveness of state programs that are aimed at curbing alcohol use and recreational boating. (M-93-11)

- We **strongly disagree** with the concept that the U.S. Coast Guard tie federal funding of the states to their assessment of effectiveness. (M-93-11)

Considering the lengthy time required in many states to enact laws to implement recommendations in the report and acknowledging that some states may not be in total support of all recommendations, we would view with serious concern any effort at the federal level to withhold boating safety funds as a leverage to force compliance by those states. The end result, in our opinion, would be detrimental to the safety and welfare of the boating public. With that one stipulation, we would otherwise support the recommendations to federal and state governments and to our association.

We have made available for the Subcommittee perusal, copies of our association's publication "Boating Safety Dollars at Work." It has a listing by each state showing projects and programs and other statistics that attest to the use and effectiveness of the trust funds in keeping with the user fee concept (i.e. user pays -- user benefits). There is also a list of program expansions showing additional boating safety programs that could be accomplished if more money was authorized and appropriated from the Aquatic Resources Trust Fund (Wallop Breaux). Our association feels it is important to point out that the best intentions of the states to implement any or all parts of the "Safety Study" will not be realized without adequate funding.

"Boating Safety Dollars at Work" visually and narratively depicts the cooperation between the States and the U.S. Coast Guard. We treasure our partnership and we want to be clear in stating that we are pleased with the U.S. Coast Guard's performance as stewards of the Boating Safety Account. Our association has worked closely with Coast Guard staff and has found that from the leadership of Commandant William Kime all the way to working officers in the field, the U.S. Coast Guard enthusiastically shares our commitment to making the Boating Safety Program THE shining example of a successful federal/state partnership.

I would like to briefly review suggestions from our association which are aimed at enhancing the success of the Aquatic Resources Trust Fund. These suggestions speak to improving efficiency and equity and do not detract from my praise of the accomplishments of the fund nor its stewardship.

INADVERTENT LOSS OF FUNDS

Unlike the sport fish account of the Aquatic Resources Trust Fund (Wallop Breaux), the Boating Safety Account must go through an annual appropriation process. In FY 1993 our authorization was $70 million to be divided, $35 million each to the Coast Guard and the states. However, only $64.5 million was appropriated and the remaining $5.5 million rolled over to the sport fish account to be spent exclusively on sport fish projects, not boating safety. This obviously had a negative impact on our ability to carry out our mission or to plan with any certainty for long range projects.

We feel certain that Congress intends for the states to have access to the full $35 million authorized, instead of allowing the inadvertent loss of funds to the sport fish restoration efforts which already receive over $200 million annually. We also feel certain that Congress does not intend for the life saving efforts of the states or the Coast Guard to be undercut by a misunderstanding in the appropriate process.

PREPARING FOR FUTURE GROWTH AND DEMANDS

The 1990 Deficit Reduction Act raised the federal tax on gasoline from nine cents per gallon to 14 cents. Two and one half cents per gallon went to deficit reduction and the remainder to the highway trust fund. That portion attributable to motorboat fuel (1.08 percent) flowed to the Aquatic Resources Trust Fund (Wallop Breaux). Indications are that the 2.5 cents per gallon that goes to deficit reduction may sunset at the end of 1995.

Noteworthy is the fact that this action, if taken, would boost the Aquatic Resources Trust Fund (Wallop Breaux) by $30 million plus. The way the law now reads, this additional funding would all flow to the Sport Fish Restoration Account, since our Boat Safety Account is capped at $70 million. To give the states continuity to enhance long range planning for the purpose of implementing our program expansions as listed in our "Boating Safety Dollars at Work" publication and the recommendations listed in the National Transportation Safety Board's Safety Study on "Recreational Boating Safety," we highly recommend that the Boat Safety Account be afforded permanent appropriation the same as the Sport Fish Restoration Account. This would seem logical since both accounts are funded from the Aquatic Resources Trust Fund (Wallop Breaux).

Our association feels a precedence has already been set in the Clean Vessel Act by allowing inter-departmental transfer of funds without affecting the scoring of the Coast Guard's budget. We would recommend using this same funding mechanism for funneling trust funds to the Boating Safety Account. We would further recommend, that like other programs in the Sport Fish Account, that a percentage of funds be designated to flow to the Boating Safety Account instead of employing a CAP as is now being used to allocate funding for boating safety purposes. This would allow a fair share of the Trust Fund to go to the Boating Safety Account in a manner equitable to the other programs being funded. This would prove most helpful during periods of fluctuations of total funds permanently establishing a fair and equitable distribution of the trust funds.

Our association would be most happy to work with the subcommittee and others to determine the percentage of funds that should flow to the Boating Safety Account.

It is important to keep in mind that the safety study recommendations impact most heavily on the states, and we, therefore, recommend that any additional funds for boating safety above the current boating safety authorization be made available to the state boating safety programs.

Mr. Chairman that concludes my report. I would be happy to respond to any questions from the subcommittee.

Thank you.

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U.S. House of Representatives
Committee on
Merchant Marine & Fisheries

Testimony Before The Coast Guard
& Navigation Sub-Committee
Regarding The National Transportation
Safety Board Study On Boating Safety

I am Lt. Col. Charlie Clark, Boating Law Administrator of Louisiana and the Assistant Chief of the Enforcement Division of the Louisiana Department of Wildlife and Fisheries. In addition, I presently serve as the Vice-President of the National Association of State Boating Law Administrators (NASBLA). Because NASBLA's President Jim French has addressed the Association's views on the NTSB study, I would like to focus my comments on Louisiana's Boating Safety Program and how the study's recommendations are perceived in my State.

A brief overview of recreational boating in Louisiana shows 301,000 registered watercrafts with a boating public of over two million (2,000,000) participants. We are a coastal state blessed with a wealth of boating opportunities. The State's boating program is administered by the Department of Wildlife & Fisheries and, as the title infers, we are a multi-mission agency with shared areas of responsibility. Louisiana's boating program has gained much positive review in recent years with a 60% reduction in boating related fatalities, but we still remain much higher than the current national average. Our success in reducing boating fatalities can be attributed to a mixture of program events. The NTSB study addresses several areas that we have employed to help us reduce our fatalities. I will address each of these recommendations giving priority to those that have helped or, in my opinion, would help Louisiana's boating program the most.

I. **Alcohol Concentration Levels Defined and Implied Consent Testing Requirements Enacted.**

In my opinion, the most important legislation that Louisiana has adopted in recent years is the 1988 act which defined an impaired boat operator's BAC level at .10% and enacted the implied consent rule. Since its enactment and with the training of 181 officers to enforce this regulation, I feel it has been the leading factor in reducing boating fatalities in Louisiana. With all other factors remaining constant, our program has prioritized its efforts on the detection and apprehension of intoxicated boat operators in high use areas resulting in an average of 183 arrests per year. The $500.00 first offense penalty combined with the offense being reported to the offender's driving history record for multiple offense accumulation has caused a significant deterrent and awareness to this crime.

Our statute does not have a behavioral standard defined, as does the Coast Guard regulation, and requires probable cause to initiate the stop. This makes cooperative efforts between the Coast Guard and the State virtually impossible. We do, however, work joint patrols in areas of mutual presence and have successfully prosecuted BWI cases in state criminal courts.

Boating Under the Influence remains the most expensive task performed by our Law Enforcement Division. The necessary manpower, patrol vessels and remote evidentiary equipment to establish and maintain a statewide program exhaust nearly one-half of our state and federal financial allotment. The need for more training, consistent patrols, equipment and educational awareness campaigns for boaters is evident in our statistics. These same statistics also show cause for consistent funding levels.

II. **Use of Personal Flotation Devices (PFDs)**

Louisiana's boating statistics on the cause of death conclude that 75% of all boating related victims died by drowning. Our statistics also show that the vast majority of vessels involved in fatal accidents were of open design where the victim was easily ejected upon collision or where he or she fell overboard because of instability. The real issue here is not whether PFDs would prevent boating accidents but rather the survival of a person after a boating accident has occurred.

Case in point.....In 1989, three adults and a two year old child were recreational shrimp trawling in Lake Ponchartrain. They occupied a 16´ open construction boat powered by a 70hp outboard. The two year old was wearing a PFD and, from all indications, the other three persons had their PFDs on the floor of the boat. A sudden storm caught the low transom of the boat facing the wind with the shrimp trawl trailing behind. Witnesses on the shore say that two adult men attempted to retrieve the trawl but only shifted more weight to the rear of the boat. The boat flooded instantly from the rear and caused all four persons to involuntarily exit the stern of the boat. A witness on shore with a mobile phone called to alert our dispatch. A patrol boat working a nearby regatta was on scene within ten minutes. Only one person was rescued from this accident, the two year old child clad in a PFD.

The statistics clearly warrant my support for the wearing of PFDs on small vessels where instability or the chance of ejection exists. They have also justified the Louisiana regulation that requires children 12 years of age and under on boats less than 26´ while the boat is underway to wear a PFD. I know firsthand that this regulation has prevented morbid scenarios of retrieving small children from the water after tragic boating accidents.

III. Operator Licensing and Mandatory Education

As Louisiana´s Boating Law Administrator, I have attempted State legislation to require both operator licensing and mandatory education. These are not popular issues to face and will force industry, educators and law enforcement personnel to retreat to defined battle lines of opinion. In working with a 1990 responsive management survey of Louisiana boaters who favored mandatory education by 81% and operator licensing by 68%, I felt obligated to serve the will of the people and introduced a bill which would have enacted both aspects; however, the bill failed without debate. I am certain that a new survey would show an even higher percentage of those who desire this legislation.

As a law enforcement officer, I must support the concept that every boater should have basic skills and knowledge of boating before being allowed to operate on the waterways. The reality of my profession puts numerous calls each weekend into our dispatch from boaters complaining about reckless operators, BWI operators, violators of restrictive zones, etc. These complaints occur in opposite directions from where planned patrols have been scheduled and denote the disregard for regulations when law enforcement is not immediately visible. This deviant behavior, in my opinion, will continue to persist until we enact sufficient penalties to fit the crime, e.i., penalties that cause deterrence even when law enforcement is not immediately present.

Are operator licensing and mandatory education the keys to safe boating? I believe mandatory education would be best utilized on the young. Just as our hunter education program demands that children be required to be exposed to the basic knowledge of safe hunting before hunting alone, so should boaters before they are allowed to operate alone. They should also be required to demonstrate that knowledge by testing. Operator licensing would offer the necessary tool for law enforcement to track offenders and give the judicial system the information required to assess the proper penalty. I believe that this measure would finally awaken the multiple offender and explain the real meaning of a privilege. Done properly, this one event would attract more boaters to our waterways; however, I will go on record in opposition to any licensing program that is designed solely for revenue enhancement and does not offer the boater an expectation of a safer boating environment. Again, I will pursue the enactment of legislation requiring both of these issues in Louisiana as will most marine law enforcement agencies charged with administering the boating safety programs.

IV. Boating Accident Reporting

Louisiana has recorded an average of 115 boating accidents yearly over the past five years. Our reporting depends heavily on several factors, some of which are difficult to control. Our department often depends on local sheriff offices and/or local police departments to deliver notification of boating accidents. Although we know we will eventually get notified of all fatal accidents, we feel certain many less severe accidents go unreported to us. It is a common occurrence in Louisiana for local police to receive the initial call in response to an accident, and the quality of information regarding that accident diminishes with the length of time lapsed before our notification. These accidents often happen in very remote areas of the state, and response time for our trained accident investigators often takes hours. Information regarding accurate BAC levels and witness accounts of the accident endure the most erosion during these periods. However, recent years have brought better accident investigation training and a better unified cooperative effort among all law enforcement agencies within our state.

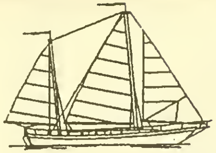
We have conducted several workshops around the state on first responder data collection. Also, we have solicited the help of coroners to provide BAC testing of boating victims and detailed death reports for our investigations. Our officers have successfully convicted numerous negligent homicide cases over the past several years which would have once been unheard of in our state. Even though we have come far, there is still a long way to go to guarantee the complete reporting of boating accidents in our state. I look forward to the Marine Index Bureau's report and hope that other resources might be incorporated to help identify all accidents and collect accurate data.

In conclusion, it wasn't too many years ago that boating safety was recognized as a pastime event, exclusive to summer months. Enforcement officers frowned on working boating safety because it generally offered no immediate gratification. Fish and Wildlife budgets offered no exclusive allocations for boating safety and, when budgets ran short, you ceased this discretionary spending and targeted high priority issues like fish limits. How times have changed!

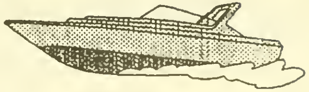
Boating safety has grown into a truly professional task because of this committee's vision and your commitment to boating safety through vigilant support of the boating account within the Wallop/Breaux Trust Fund. The partnership formed between the US Coast Guard and the states have forged a true success story with the boater footing the bill for our successful endeavors. I personally believe that this program can claim more accomplishments for the dollar spent than any I have witnessed in my 18 years in government. Although I feel a great sense of pride for the great distance we have traveled, I also know that there is still a great deal left to do.

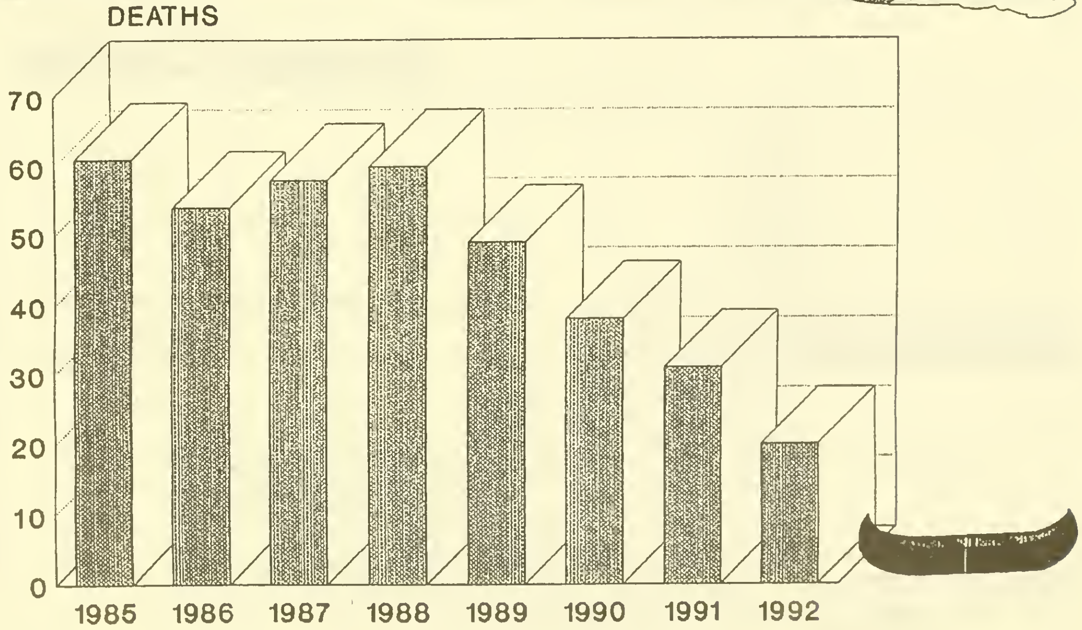
Mr. Chairman, in the hope that you will forgive me for "preaching to the choir", I beg you to help us in securing adequate consistent funding levels beginning with the full funding of our $70 million authorization.

I wish to thank you Mr. Chairman and this Committee for the shining support you displayed on our behalf in securing boating safety's first permanent appropriation with the passage of the 1992 Clean Vessel Act.



LOUISIANA
BOATING FATALITIES





5-YRS.

COAST GUARD
HQ-3923 (Rev. 12-90)

REPORT OF NUMBER OF NUMBERED VESSELS IN THE STATE
Numbered in accordance with 33 CFR Parts 173 & 174
(Total Valid State Certificates Outstanding As of 31 December 19 92)

FOR STATE/TERRITORY OF
Louisiana

ULL ERIAL	UNDER 16 FEET					16 TO LESS THAN 26 FEET					26 TO LESS THAN 40 FEET				
	POWER			AUXILIARY SAIL		POWER			AUXILIARY SAIL		POWER			AUXILIARY SAIL	
	INBOARD	OUTBOARD	STERNDRIVE*	INBOARD	OUTBOARD	INBOARD	OUTBOARD	STERNDRIVE*	INBOARD	OUTBOARD	INBOARD	OUTBOARD	STERNDRIVE*	INBOARD	OUTBOARD
ood	1,117	3,082				1,443	2,071				1,195	163			
rglass	2,642	47,067				7,171	63,321				2,546	835			
etal	988	110,587	=173,313			1,442	36,563	=118,298			1,011	1,104	=7,137		
stable	2	361				1	22				1	3			
ther	99	7,368				461	5,803				175	104			

ULL ERIAL	40 TO 65 FEET					OVER 65 FEET					TOTAL				
	POWER			AUXILIARY SAIL		POWER			AUXILIARY SAIL		POWER			AUXILIARY SAIL	
	INBOARD	OUTBOARD	STERNDRIVE*	INBOARD	OUTBOARD	INBOARD	OUTBOARD	STERNDRIVE*	INBOARD	OUTBOARD	INBOARD	OUTBOARD	STERNDRIVE*	INBOARD	OUTBOARD
ood	201	35				3	10				4,848	168,465			
rglass	185	61	=1096			58	117	=318			10,518	107,780			
etal	387	196				34	59				4,928	2,209			
itable							1				785	311			
ber	12	19				1	45				96	232			

*The term "sterndrive" includes inboard/outboards and jet drives.

ULL ERIAL	OTHER BOATS					
	NOT MECHANICALLY PROPELLED			PERSONAL WATERCRAFT	OTHER BOATS	TOTAL
	ROWBOATS	SAILBOATS	CANOES/ KAYAKS			
od						
glass						
tal						
able						
er						

SCOPE OF CURRENT NUMBERING SYSTEM 300,172

All vessels propelled by any type of machinery.

COMMENTS (Continue on plain paper or reverse)

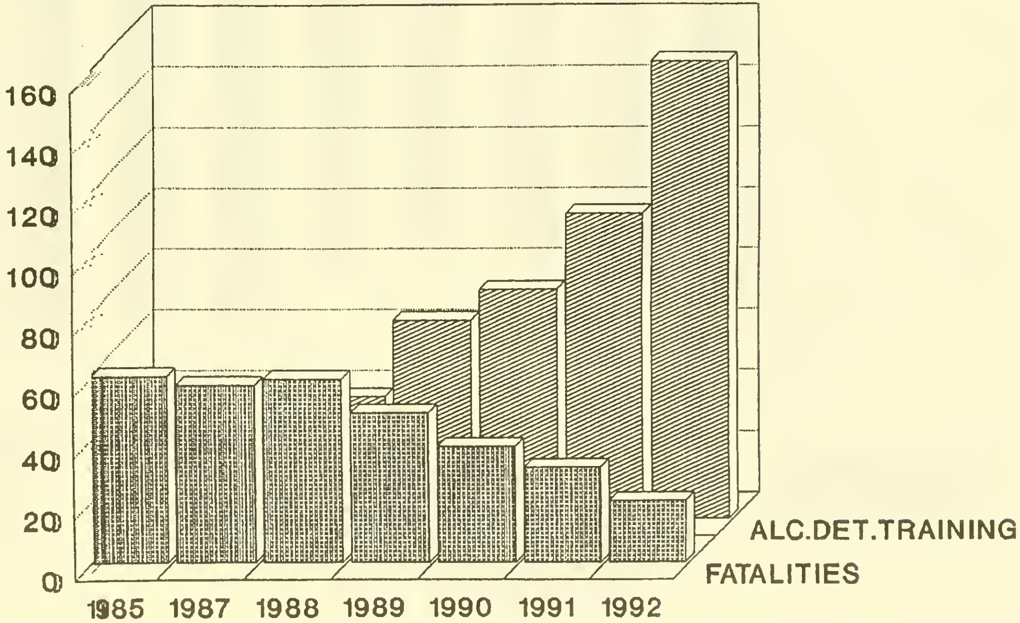
I Certify that to the best of my knowledge and belief, the data above are correct.

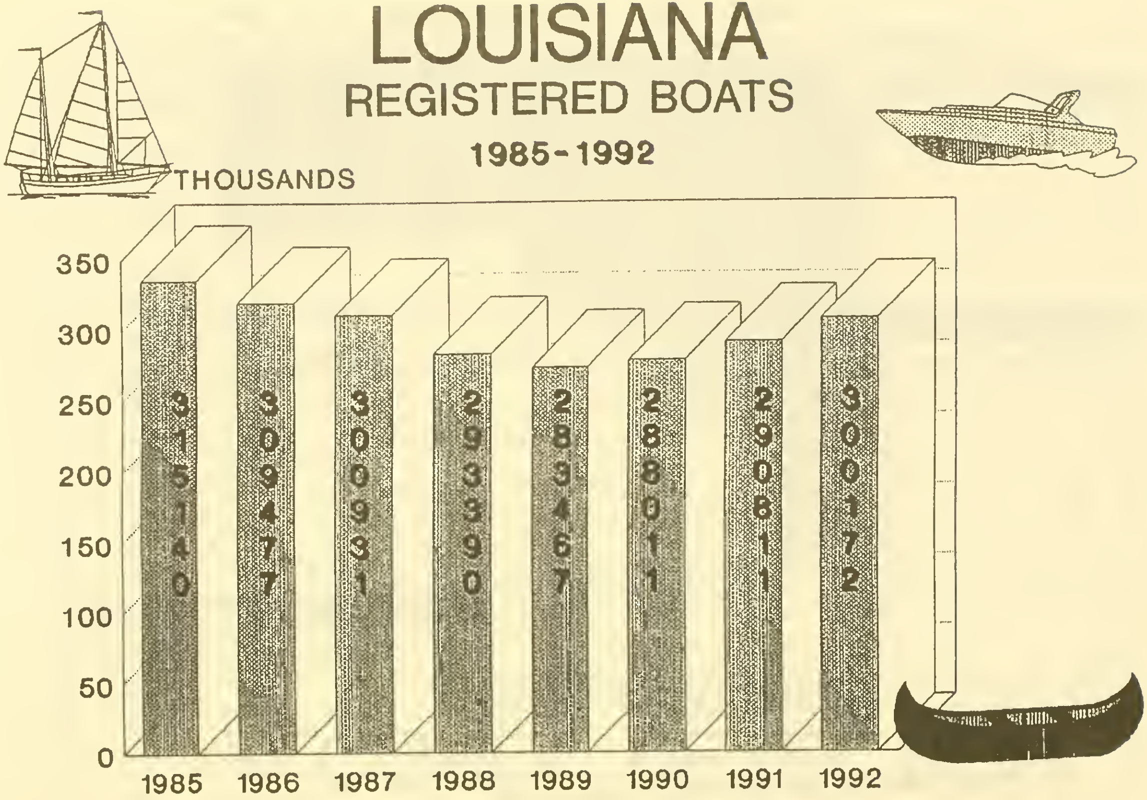
Signature

Date 5/12/93

ALCOHOL DETECTION

& BOAT FATALITIES





LOUISIANA
REGISTERED BOATS
1985-1992

Statement of

MICHAEL SCIULLA, VICE PRESIDENT

BOAT OWNERS ASSOCIATION of THE UNITED STATES
BOAT/U.S.

Washington National Headquarters
880 South Pickett Street, Alexandria, Virginia

Before the

SUBCOMMITTEE ON COAST GUARD & NAVIGATION

of the

U.S. HOUSE OF REPRESENTATIVES

Re: National Transportation Safety Board Report

June 24, 1993

Mr. Chairman and Members of the Subcommittee:

I am Michael Sciulla, Vice President of Boat Owners Association of The United States. With more than 455,000 members from all 50 states, BOAT/U.S. is the nation's largest organization of recreational boat owners. I appreciate the opportunity to appear before you today on the issue of recreational boating safety.

Mr. Chairman, the National Transportation Safety Board (NTSB) has done a remarkable job over the past decade in focusing attention on specific recreational boating safety issues. More importantly, the Board has been successful in encouraging the states to enact new laws - particularly on boating while intoxicated - which should reduce the loss of life among the 20 million boat owners and the 70 million Americans who go boating every year.

However, we urge you and the members of this panel to look beyond the headlines stemming from the media's coverage of the Board's recommendations last April. While it is literally true that recreational boating often accounts for the second largest number of transportation-related deaths (boating drops to third place when there are major airline crashes), there really is no comparison between the 43,500 automobile and the 924 boating fatalities in 1991.

Thanks to decisive action taken by Congress when it passed the Federal Boat Safety Act of 1971 - and the hard work since then of countless thousands of volunteers and professionals - recreational boating has an incredible safety record that has been steadily improving over the past twenty years. The number of boating fatalities has been reduced from a high of 1,754 in 1973 to 816 in 1992 - a 53% decline. The boating fatality rate has plummeted from 17.2 per 100,000 boaters in 1973 to 4.0 in 1992. In comparison, the fatality rate for automobiles was 17.2 per 100,000 participants.

To put the number of boating fatalities into perspective, according to the National Safety Council, 1,700 people died while swimming during 1991, 600 people died while at home in a pool or bathtub and 766 were felled when they were struck by a falling object.

Nonetheless, we are convinced that the number of boating fatalities, injuries and accidents can be further reduced and the place to start is with the recommendations made by the NTSB.

Seven of these 16 recommendations encourage those states which have not already done so to enact comprehensive legislation to address the alcohol and boating problem, adopt a clear definition of legal impairment and require that chemical tests be given if a recreational boater is suspected of being impaired.

We strongly endorse these recommendations and urge you to press the Coast Guard to encourage those states which have not yet enacted laws to do so within three years.

Another five recommendations encourage the states to require that children wear life jackets. Only a dozen states currently have such requirements.

Again, we strongly endorse these recommendations - particularly the recommendation that the Coast Guard use its biennial memorandum of understanding with the states - to encourage the states to develop plans to increase the use of life jackets among children.

Furthermore, we believe that the NTSB's recommendation that the Coast Guard implement a fatal accident reporting system is absolutely essential.

We are convinced, however, that the true extent of the boating safety problem will not be known unless and until a better job is done by the states in the reporting of accidents and injuries and by the Coast Guard in the analysis of that data. For example, a survey conducted by the American Red Cross concluded that 355,000 boaters were injured in accidents during the 1988-89 boating season. By comparison, the Coast Guard received reports on only 3,563 injuries.

The three to five percent of all boating accidents that are included by the

Coast Guard in its annual statistical report significantly understates the extent of the problem and as such the data is woefully inadequate for public policy purposes. Again, we urge this subcommittee to encourage the Coast Guard to press the states to develop plans that will lead to significantly more accurate reporting of non-fatal boating accidents.

As to the Board's recommendations that steps be taken to improve operator knowledge of safe boating rules and skills through education or licensing, we believe that the phased-in mandatory education program developed by the state of Maryland five years ago has the broad support of the boating public. Since that time, Connecticut and Vermont have enacted similar laws. This approach is now being considered by a number of state legislatures and we support these efforts.

What else can be done to improve boating safety?

First, since 80 percent of boating fatalities are drownings and the statistics indicate that only 30 percent of boaters wear life jackets, anything that can be done to increase the wearing of life jackets is going to have a significant impact on boating safety.

According to the American Red Cross survey, while 85 percent of boaters have a life jacket aboard, the vast majority of boaters do not wear them because they are bulky and uncomfortable. For the past ten years the Coast Guard has been studying "inflatable" life jacket technology. These devices are considerably more lightweight and compact. In fact, the BOAT/U.S. Foundation for Boating Safety last March completed a two year-long study involving 11,450 laboratory tests and 24,475 questionaire responses from nearly 500 recreational boaters who used inflatable life jackets. We believe the time for further study is over and we urge this committee to encourage the Coast Guard to promulgate regulations this year approving inflatable life jackets.

Second, we believe the Coast Guard should be able to do more to promote boating safety - especially as it has received nearly $250 million from the Aquatic Resources (Wallop/Breaux) Trust Fund over the past ten years.

As you know, Mr. Chairman, appropriations from the the trust fund's Boating Account have traditionally been split equally between the Coast Guard and the states and are used to underwrite their boating safety programs. However, while the NTSB reports that the Coast Guard spent approximately $25 million annually during 1988-1991 on boating safety, the states spent more than four times that amount - $109 million annually.

It is clear to us that the Congress intended the Coast Guard to spend the fuel tax dollars paid by boaters and fishermen and deposited into Wallop/Breaux exclusively on boating safety and not on broad Coast Guard operations which generally benefit all mariners. In fact, 46 U.S.C. Sec. 13106(c) directs the Coast Guard to spend the monies it receives from the Aquatic Resources (Wallop/Breaux) Trust Fund on boating safety and the Coast Guard Auxiliary.

However, in the nearly ten years that the Coast Guard has been receiving these funds, we have seen little indication that the trust fund monies received by the Coast Guard have been used to do anything but maintain its boating safety program at a level one-half of what it was in 1980. Consequently, we believe the time has come for a comprehensive report to Congress on where and how this money has been spent and what has been accomplished to date.

Third, the Coast Guard should be directed to do whatever it can to encourage boaters to take boating safety courses. Over ten years ago the BOAT/U.S. Foundation for Boating Safety developed a database which lists over 15,000 free boating safety courses around the country. Last year alone, over 70,000 boaters called the Foundation's CourseLine, 800-336-BOAT, to find out where they could take a local boating course.

If we are serious about educating recreational boaters, the Coast Guard should be encouraged to include this telephone number on every piece of boating safety literature and in every video or radio press release it produces by itself or under contract.

On behalf of the members of BOAT/U.S., I do want you to know that we appreciate this opportunity to apear before you today. I would be happy to respond to any questions that you might have.

June 24, 1993
Testimony by the National Water Safety Congress
presented before the
Coast Guard and Navigation Sub-Committee
concerning the
National Transportation Safety Board
Boating Safety Study

Mr. Chairman and Committee Members:

As President of the National Water Safety Congress it is indeed an honor to provide you with the following information for your consideration.

National Water Safety Congress is a national non-profit organization established in 1951 to promote the safe recreational use of the nation's waters. Its membership consists of representatives from government agencies such as the U.S. Army Corps of Engineers, the U.S. Park service, the Tennessee Valley Authority, the Federal Energy Regulatory Commission, State Boating Law Administrators and others; private power companies, such as Georgia Power, Washington Water Power, Niagara Mohawk, Duke Power, and many others; and companies and volunteer groups involved with water safety.

Today I will address the following subjects:

1. Alcohol involvement in Recreational Boating
2. Use of Personal Flotation Devices
3. Boat Operator Skills and Knowledge
4. Boating Accident Reporting and Tracking
5. Funding for the Recreational Boating Program

1. ALCOHOL AND RECREATIONAL BOATING

BACKGROUND:

Since the original report issued by the National Transportation Safety Board in 1983, the states have progressed in establishing the laws and regulations necessary to accomplish the Board's findings. Those active in the boating safety programs in the remaining states that have not fully met the Board recommendations have also worked hard but have not been as successful with their state legislatures. I want to commend them all and I think they will continue until the work is done.

Convincing the public about the hazards of alcohol is difficult because of the way alcohol works. Alcohol slows down the processing of information, reduces inhibitions and affects a person's judgement. But the effects can be very subtle and in many cases you are unaware that your abilities have been inhibited.

The following tests were conducted in a Coast Guard Research and Development study:

> Subjects were tested both sober and intoxicated with a single light and a single button and with a series of lights and buttons. When the single light came on, the subject was told to push the switch. The reaction time for sober and intoxicated subjects was about the same. The same subjects were now given a series of lights and buttons to use. They were to push certain buttons when certain lights came on. The difference in reaction time was markedly different between the sober and intoxicated subjects. The difference was now information needed to be processed.

The following real world example illustrates the problem. A person routinely goes to a bar on the weekend and drinks too much. Afterwards, they drive home. The car is familiar, the route is familiar and they operate as if on "auto-pilot". This scenario occurs time after time after time. Each time they are successful, the person mentally reinforces their thinking that they can handle alcohol and there is no problem. The first time that an urgent situation occurs, they have an accident. They could not process information quickly enough and react. It is the first time they learn the effects of alcohol, and it's too late.

On the water, the same thing occurs, but it is combined with even more variables. There are no nicely laid out streets and roads to follow, other boats can come from anywhere and there are other hazards. As faster and faster boats come on the scene and the waters become more crowded, the problem gets worse. As your speed increases, the amount of information you need to process increases. When intoxicated, going fast in a boat, your attention becomes focused straight ahead and effectively you have tunnel vision. (If you checked your peripheral vision at rest, it would be almost the same as normal, leading you to believe you were O.K.) When interviewed after a collision, the subject often says, "I didn't see the other boat," and they didn't. Adding the stressor of wind, motion, noise and vibration and the fatigue they cause increases the problem even more.

Alcohol also effects coordination and balance. Most people who die in boating accidents either fall out of their boat or capsize their boat and end up in the water. When consuming alcohol you may not notice this reduction in balance and coordination, and a small, unstable boat is very unforgiving. Once in the water your ability to coordinate arm and leg movement to swim to a PFD or put it on is greatly reduced.

DISCUSSION:

As Chairman for National Safe Boating Week for the next two years, I plan to run a single issue campaign on the hazards of Alcohol and Boating in 1994. I consider this single issue as one of the two most important issues in boating.

The National Water Safety Congress concurs with the National Transportation Board's studies and recommendations from 1983 and 1993. There needs to be a legal level of intoxication established for enforcement, a means of chemical testing of suspected impaired operators and toxilogical testing of boating fatalities.

RECOMMENDATION:

The National Water Safety Congress strongly supports increased efforts to remove the intoxicated operator from the water through enforcement and education.

2. USE OF PERSONAL FLOTATION DEVICES (PFDS)

BACKGROUND

Coast Guard statistics for the past twenty years indicate that more than 80% of all those who die in boating accidents drown. It also shows that more than 80% did not use a life jacket. The National Transportation Safety Board has concluded that more than 80% of the drownings could have been prevented if the victim had worn a Personal Flotation Device.

Contrary to popular belief, most boating fatalities are the result of a capsizing, a fall overboard, or a collision in a small boat in inland waters in good weather and water conditions and not in a storm off-shore. Capsizing, falls overboard, and collisions are sudden unexpected occurrences that leave little if any time to don a PFD. If the occupant is not wearing their PFD, it probably won't be of much help.

According to Coast Guard statistics most recreational boats are less than 16 feet in length. Smaller boats are tippier and react faster than larger boats. Jon boats, small utility boats, canoes and kayaks are very light in weight and the weight of the occupants in many cases is greater than the weight of the boat. The boat's stability is determined in great part by the action or lack of action of those on board. Unfortunately these small boats are in many cases being operated by the least knowledgeable and experienced operators.

The requirement to carry PFDs comes from the Motorboat Act of 1940. A recent polling of states shows that the most frequent violation when checking recreational boats is not having enough or suitable PFDs aboard.

A Coast Guard R&D study completed in 1978 indicated that the most important factor in PFD usage was wearability. Originally the only approved devices were the type I device. In 1947 the Type II device was approved. It had less performance but was much more wearable. This progression continued to the early 1970s when the Type III device was approved. It had the same buoyancy but less ability to turn the victim face up in the water. The approval was based on the fact that it was more comfortable to wear and designed to be more usable in a variety of boating activities. The new type V hybrid devices (a small amount of inherent buoyancy 7 1/2 lbs vs 15 lbs with 22 lbs when inflated) was approved as being more wearable. Testing is now progressing on smaller all inflatable devices.

The U.S. Army Corps of Engineers has considered the requirement for boaters to wear PFDs when going through their locks, but this couldn't be done since in small boats wearable PFDs are not even required to be carried. Many state laws require operators of personal watercraft to wear PFDs and water skiers and other operators to wear PFDs under certain circumstances.

DISCUSSION:

The Coast Guard is currently in the rule making process to change the carriage requirements for PFDs. The change would require a wearable PFD for all occupants of boats less than 16 feet in length and canoes and kayaks and allow states to require the wearing of PFDs under certain conditions. These changes should be in effect before next year's boating season.

The National Water Safety Congress strongly supports these new rules. In addition the National Water Safety Congress supports the wearing of PFDs by all children less than 12 years of age on vessels less than 18 feet in length while underway.

As I mentioned earlier, I am the Chairman of National Safe Boating Week for 1994 and 1995. I plan running a single issue campaign on the importance of PFDs to boating in 1995.

RECOMMENDATIONS:

That the rule making go forward requiring a wearable PFD on all boats less than 16 feet in length and canoes and kayaks. The National Water Safety Congress also recommends that consideration be given to requiring all children less than 12 years in age to wear a PFD when underway on boats less than 18 feet in length.

It is further recommended that research continue into suitable PFDs that are more comfortable to wear, particularly in hot climates.

3. BOAT OPERATOR SKILLS AND KNOWLEDGE

BACKGROUND:

As a result of the Coast Guard Roles and Missions Study of 1982, the states were given the primary responsibility for boating education and enforcement. Currently the states are providing hundreds of thousands of boating courses a year to the public.

The U.S. Power Squadrons have been giving boating safety courses for more than 78 years and the U.S. Coast Guard Auxiliary has been providing boating safety courses for more than 53 years. The current indications are that less than 10% of the boating public has taken a boating safety course. State Farm Insurance stated in an interview for *Small Craft Advisory* that when offered a discount at point of sale, only 5.1% of the boaters could show they completed an approved boating course and qualify for that discount.

The boating statistics for 1991 from the Coast Guard shows that of the fatalities where it was known whether there was formal education of the operator, 83% had not had formal education. It should be further pointed out that according to the Coast Guard definition, "formal education of the operator implies that some education has been received, but not necessarily that a course was successfully completed" (Emphasis added). In addition, in the category, "Fault of the Operator," of the knowns, the operator did contribute to 70% of the fatalities.

The National Association of State Boating Law Administrators established a minimum education standard in 1977. It lists the minimum course content that must be covered to be approved. The Coast Guard Auxiliary multi-lesson courses and Power Squadron boating course have been approved under this standard and every state offers an approved boating education course.

There are currently more than 20 states that have a youth operator restriction for boat operation, but only four states have a mandatory requirement that does or will apply to adults. There is great controversy concerning having a certificate on board the vessel to prove completion of a mandatory education program. Some say this is a license since a certificate is required and future laws could be passed that would take away that certificate for certain violations thus making it a license. License opposition is also based on the payment of fees multiple times such as a driver's license.

The marine industry is very concerned with any program that increases the requirement to operate a boat. They say it will hurt boat sales, and boat sales are now critically low.

I don't want to get involved in the license argument. I just think there needs to be a means to determine that boat operators have a minimum level of knowledge before they go on the water. Boats are the only mechanized vehicles that do not have some demonstration of knowledge required to operate.

DISCUSSION:

Since most boaters have not completed a boating course or demonstrated a basic level of knowledge and most fatal accidents are coded, "fault of the operator did contribute", it seems logical that more work in education needs to be done. NASBLA has established minimum education standards and guidelines for mandatory education. The system for implementing an effective program seems to be in place which allows for uniformity and reciprocity. The time to move forward is here.

RECOMMENDATIONS:

The National Water Safety Congress recommends that states implement a system requiring a minimum level of knowledge be demonstrated by boat operators.

4. BOATING ACCIDENT REPORTING AND TRACKING

BACKGROUND:

The current accident reporting system requires that boat operators involved with an accident report the accident to their local state agency. The Coast Guard compiles the accident data provided by the states and publishes an annual report. Unfortunately this annual report shows that in many categories the most frequently listed data is unknown. It also states that only a small fraction of non-fatal accident reports are received (in past years the number of 5% – 10% of non-fatal accident reports received was given).

Many individual insurance companies have received claims on more accidents than were reported to the Coast Guard. The American Red Cross National Boating Survey contracted on a grant from the Coast Guard showed 236,599 reportable accidents and 413,074 non-reportable accidents during the 1988–89 boating season. The Coast Guard report during that same period indicated 6,060 accidents. The number of boats involved, injuries and property damage had about the same level of disparity between the two sources. The most frequently reported accidents in the Red Cross survey were also a different category than reported by the Coast Guard.

The fatality rate reported by the Coast Guard is based on an estimate of total number of recreational boats. In 1971 there were 5.5 million numbered boats reported to the Coast Guard and an estimated 7.8 million total boats (70% of the total number of boats being numbered). In 1991 the Coast Guard shows 11 million numbered boats with a total number of 20 million boats (55% of the total number of boats numbered). It is also interesting to note that the number of numbered boats increased by 72,187 from 1990 to 1991 while the estimated total number of boats increased by 500,000.

The Red Cross survey indicates that boat usage based on the Coast Guard survey in 1976 until their 1989 survey decreased from 151 hours per boater to 106 hours per boater. This indicates an increase in the fatality rate based on utilization from .14 fatalities per million passenger hours to .18 fatalities per million passenger hours.

The Coast Guard has given a series of grants to Underwriters Laboratories to conduct boating accident investigation courses nationally. This should greatly increase the expertise in investigating boating accidents and provide more valid accident data in the future.

DISCUSSION:

The total number of boating fatalities reported to the Coast Guard has decreased steadily over the past twenty years. The accident statistics being reported are still flawed in that so many accidents are not reported. The statistics published by the Coast Guard can not be relied upon to give a true indication of what the problems really are. Therefore, it is difficult to effectively operate a boating safety program.

Basing the fatality rate on the estimated number of boats and not number of numbered boats or on the basis of utilization gives a distorted view of the program. We think we are making great progress, but with the lack of definitive information it is difficult to determine.

RECOMMENDATION:

National Water Safety Congress recommends that a Research and

Development project, a definitive survey or other actions be taken to determine accident profiles and numbers.

The National Water Safety Congress also recommends actions be taken to better inform the public of accident reporting requirements and work with insurance companies to get more and better reports.

5. FUNDING FOR THE RECREATIONAL BOATING PROGRAM

BACKGROUND:

The Aquatic Resources Trust Fund (better knows as "Wallop Breaux") was established in 1984. The fund had two major accounts, the Boating Safety Account and the Sport Fish Restoration Account. The fund received monies from the fuel tax paid by boaters, the import duties on recreational boats and excise taxes on fishing equipment. When originally established it was contemplated that the Boating Safety Account would receive about 70% of the boat fuel taxes.

Because of changes in the fuel tax rates and changes in the estimate of fuel usage by boaters, the Boating Safety Account now receives only about 45% of the boat fuel taxes. This amount is split with the Coast Guard. Funding is then reduced to provide a Boating Safety Grant program for national non-profit public service organizations for boating safety and administrative services.

In the early 1980s the Coast Guard had 575 personnel involved with Boating Safety programs. This number has now been decreased to less than 200. This seems logical since the states have assumed the primary responsibility for boating education and enforcement, operate the numbering and titling programs and provide a large search and rescue resource. (About 85% of recreational boating occurs in the inland areas where the Coast Guard has few if any resources. 54% of the fatalities occur in sole state waters.)

The states have assumed the major portion of funding for boating safety programs. For the period from 1985 to 1991 the states provided $749,421,379 (81%), while Federal funds were $176,741,190 (19%). This dollar relationship is markedly different from the Sport Fish Restoration account. Not only does the Sport Fish Restoration Account get guaranteed annual funding, but it is a 25%/75% match. Indications are that the Sport Fish Restoration Account receives as much money each year in interest on funds they have not spent as the States receive from the Boating Safety Account.

DISCUSSION:

As noted in the previous sections, there is much to be done to improve safety in boating. There is a need for more enforcement, there is a need for more public awareness concerning PFD usage, more boating education, and better accident investigating and reporting. All of this can be done, but it requires more resources.

The Boating Safety Account is funded by boaters (user pays). Not having guaranteed annual funding from this account has caused problems for planning and efficiently operating the Recreational Boating Safety Program. It is difficult to hire new employees in tight money times if you think you may have to terminate them in the near future if funding is reduced. Funding multi-year projects with one year money is difficult. Having an assured funding base, funded by boaters' money, will make the boating safety programs more efficient and more effective.

RECOMMENDATION:

The National Water Safety Congress recommends that funding for boating safety be increased to the state agencies as they are primarily responsible for the conducting the programs. Encouragement should also be given to the U.S. Army Corps of Engineers, U.S. Forest Service, U.S. Park Service, U.S. Coast Guard and other agencies who have an on-the-water responsibility to emphasize boating safety.

Respectfully,

William R. Ladd
President
National Water Safety Congress

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Statement of

Mr. Phil Keeter
Executive Director

Marine Retailers Association of America
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before the

Subcommittee on Coast Guard and Navigation
of the
Committee on Merchant Marine and Fisheries

U.S. House of Representatives
Washington, D.C.

Re: Recreational Boating Safety and the Safety Study on Recreational Boating issued by the National Transportation Safety Board

June 24, 1993

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Statement of Phil Keeter
Executive Director of the
Marine Retailers Association of America
before the
Subcommittee on Coast Guard and Navigation
on Recreational Boating Safety and
the Safety Study on Recreational Boating by
the National Transportation Safety Board

Thank you, Mr. Chairman. I am Phil Keeter, Executive Director of the Marine Retailers Association of America. MRAA is the national trade association of 3,500 small businesses which sell and service recreational boats and operate marinas. Our members come from virtually every state in the country; and the 117 regional, state, and local marine trades associations are affiliated with MRAA. The strength of our organization is that our members maintain frequent contact with recreational boaters after the initial sale. Dealers perform service work and sell accessories, and boat owners store their boats on our properties either in dry storage or docking facilities. Some even use our access ramps. Boaters tell our members what's on their minds; and, because our members are market driven, we strive to satisfy their concerns.

We greatly appreciate the opportunity to present testimony on recreational boating safety and the recently released safety study conducted by the National Transportation Safety Board. We also commend your leadership and the interest of the Subcommittee in holding this hearing today.

As you know, the NTSB study reviewed the important boating safety issues and made certain recommendations regarding alcohol abuse on the water, minimal use of lifejackets by recreational boaters, insufficient understanding of the rules of the road, a general inability to operate a boat properly, and the lack of quantifiable, or reported, information on boating accidents. These problems have long been identified and addressed by organizations, including the boating industry, interested in promoting safety on the water.

The National Boating Safety Advisory Council, of which I have been a member for the past four years, has spent considerable effort analyzing these issues. As you know, the Council serves in an advisory capacity to the Commandant of the Coast Guard and the Secretary of Transportation. The Council was established by Congress at the urging of this Subcommittee to investigate boating safety issues and to make recommendations. Membership in the Council comes from industry, boating safety organizations, boating consumer groups, and individual boat owners. Organizations represented on the Council include the Coast Guard Auxiliary, the Power Squadrons, Underwriters Laboratories, the National Marine Manufacturers Association, the National Boating Federation, and the National Association of State Boating Law Administrators, as well as the Marine Retailers Association of America. Many of the findings and recommendations of the Council become law, regulation, or practice.

The Council is currently investigating several safety items of interest to your Subcommittee. For example, we are looking into a requirement that infants and other small children under 30 pounds wear a personal flotation device, or lifejacket. We are also reviewing boating standards and product assurance; the usage of inflatable lifejackets; mooring regulations and local anchoring practices; the safety of propeller-driven personal watercraft; conflicts of congestion on multiple-use waterways or capacity utilization; and a review of all boating regulations, including such specific issues as the adequacy of current Federal standards for fuel systems, the definition of sailboards as vessels, and the inspection of and necessity of a gauge on dry chemical fire extinguishers.

The Coast Guard closely coordinates the work of the Council, and the Council looks to the Coast Guard for advice on many technical safety subjects. It is a well functioning group with considerable influence on the direction the recreational boating community takes on boating safety issues.

Many other organizations, including the Coast Guard, the Coast Guard Auxiliary, the U.S. Power Squadrons and state boating law enforcement officials, have contributed significantly to the improvements in boating safety over the years.

According to the Coast Guard, "the best available indicator of safety in recreational boating is the fatality rate."(1) The fatality rate corresponds to the number of fatalities to the changing boating population or the number of fatalities per 100,000 recreational boats. Since 1971, when the fatality rate was near an all-time record high of 20.2 deaths per 100,000 boats, the rate has steadily declined each year to 4.4 in 1990. The rate increased slightly to 4.6 deaths per 100,000 boats in 1991. However, the rate again declined to an all-time record low of 4.0 in 1992.

The long trend in a reduced boating fatality rate also corresponds closely to the steady decline in actual boating-related deaths. In 1971, 1,582 people died on our nation's waters. An all-time record low number of 816 deaths occurred in 1992.

Some may say that the fatality rate is going down because of problems in accumulating the data, but no one can argue that the actual number of deaths have been going down too. The Coast Guard states that "all recreational boating fatalities are included in these statistics."(2) The decrease in the fatality rate and the real number of fatalities is occurring at the same time the number of boats and the number of Americans who enjoy recreating on the water have increased dramatically. Today, it is estimated that 72 million Americans enjoy boating on about 20 million boats compared to 7.85 million boats in 1971.

Based on the only statistic the Coast Guard says is the reliable benchmark to measure recreational boating safety, boating has never been more safe! This is true even considering the problems of congestion and overcrowding at certain times and on certain days.

Why is this so?

We believe there are several reasons. I have already mentioned a few, such as the work of the National Boating Safety Advisory Council, but other important reasons need also be mentioned.

First, boats are being manufactured with safety considerations in mind more today than 20 years ago. Boats are generally being made of fiberglass versus wood now which is a safer and more durable material. Fewer sinkings are occurring because fiberglass boats are less apt to open a seam or take on water; and many boats, such as outboards and dingies, are required to have upright flotation.

Second, there is an increased awareness of safety among boat owners and crew. More boats are equipped with VHF radios and greatly improved navigational equipment, such as Lorans, SATNAV, or GPS. GPS, for example, can give an accurate position within one hundred feet.

Third, more boats are equipped with the Federal safety equipment requirements mandated by Congress in 1971.

Fourth, weather forecasting and availability of good weather data have greatly improved.

Fifth, response time by rescue teams either from the Coast Guard, the Coast Guard Auxiliary, commercial towers, or private citizens has greatly improved due to the significant technological advancements in communication and navigation gear.

Sixth, there is widespread acceptance of lifejacket wear by water enthusiasts who enjoy canoeing and kayaking resulting in significant improvements in safety.

Seventh, the dedication of hundreds of thousands of volunteers in the U.S. Coast Guard Auxiliary and the U.S. Power Squadrons has provided education classes at no or little cost in convenient locations and times benefiting millions of American boaters.

In addition, the Courtesy Marine Examination (CME) and Dealer Visitation programs of the Auxiliary are free checks of safety equipment carried or installed on a boat. The CME parallels and even exceeds the Federal requirements with regard to safety equipment and vessel condition. The Auxiliary performed 300,815 CME's in 1991.

The boating industry has also taken an aggressive role to improve safety. We strongly believe safe boating is fun boating and work closely with many organizations to improve our safety record. MRAA, for example, has prepared a "Boating Safety Education Kit" which is available at a token cost to boat dealers. The kit contains safety information and a video which is shown to new purchasers of boats.

Our association's monthly newsletter contains a safety supplement, called "On the Safe Side," which relates items of safety from knot tying to boat handling skills. We encourage distribution to our customers. Many of our members are doing this by sending copies to customers of marinas or their dealership on a monthly basis or by including copies in safety displays.

MRAA members also participate in a joint project with the Coast Guard Auxiliary called the Dealer Visitation Program. This program is a highly successful promotion of boating safety through the Auxiliary's Courtesy Marine Examination service. Under this program, a team of Auxiliarists will stage an inspection area at a dealership. Auxiliarists then perform a physical inspection of the boat for proper safety equipment.

Dealers encourage purchasers of boats to take a safe boating class by posting class schedules or by providing the Boating Education Hotline to consumers. This Hotline gives the most up-to-date course schedule. MRAA has distributed 275,000 Hotline posters to dealers, state agencies, boat manufacturers, the Auxiliary, and many others. And dealers actually open their showroom floor or their service area at no charge to the Auxiliary and Power Squadron as a location to teach boating safety classes.

MRAA participates in a joint project with the National Marine Manufacturers Association and Miller Brewing Co. to promote responsible drinking on the water with a Designated Driver campaign. We have distributed over 20,000 posters supporting the Designated Driver program to boat dealers and marina operators. Thousands more have been given out or posted at boat shows. The National Safe Boating Council also selected the poster for distribution to hundreds of thousands of volunteers working on National Safe Boating Week.

MRAA staff also promote boating safety by sitting on the Marine Safety Advisory Council to Underwriters Laboratories, committees of the National Association of State Boating Law Administrators, and the Board of the National Safe Boating Council.

MRAA, through our Washington Representative Larry Innis, has been chair of the National Safe Boating Week campaign for the past two years. This campaign has significantly increased public awareness of boating safety by providing extensive media coverage (through TV and radio PSAs, a Video News Release, and newspaper interviews), local safety exhibits, and special programs on safe boating. MRAA has taken a leadership position in the past few years by encouraging boat dealer participation in National Safe Boating Week activities. Most boat dealerships and marinas now have safety displays on the showroom floor or in prominent locations near launch ramps and docking facilities.

MRAA strongly supports full funding of Wallop-Breaux Trust Fund dollars for boating safety and has testified on numerous occasions before the House Transportation Appropriations Subcommittee in this regard. MRAA will continue to work hard to extend the application of Trust Fund money to new areas of boating concern when new money becomes available.

Therefore, considering the fatality rate has steadily declined to an all-time low, the real number of boating fatalities has steadily declined to an all-time low, and the hard work of many individuals and organizations to improve boating safety, we disagree with the NTSB report that the number of recreational boating fatalities has remained substantial. We strongly believe that our waters have never been more safe.

However, we do agree with the intent of the NTSB report that additional work needs to be done to improve upon our safety record. Some of the problem areas and findings identified by the NTSB report are obviously correct. And, we concur that these problem areas are exacerbated to some degree at certain times by the problem of congestion in some parts of our country. The controversy among organizations and individuals deeply involved in boating safety is how best to improve safety at a time when recreational boating has achieved a truly outstanding safety record.

MRAA compliments the NTSB for reporting problems in documenting the extent of alcohol abuse and in poor accident reporting on the water. It is very difficult to adequately analyze boating safety and alcohol usage with poor data. Many law enforcement and Coast Guard officials report that alcohol is involved in 50 per cent of all boating accidents and then, at the same time, report that they have a poor handle on accident reporting, because fewer than ten per cent of all accidents are reported. The Coast Guard reports that "only a small fraction of all non-fatal boating accidents occurring in the United States are reported to the Coast Guard or to local or state law enforcement agencies."(3) The Coast Guard further states that "non-fatal accidents cannot be assumed to have occurred in numbers proportional to the reported statistics."(4)

Why is this so? The act of reporting an accident is not representative of a random sampling of accidents. It is rather a selection based on the ability or willingness of those involved to file a report. Lack of proper accident reporting obviously compounds the problem of analyzing incomplete data and giving sound recommendations. We believe Congress should study accident reporting and, based on the recommendations of the study, work to improve upon current laws and regulations to improve reporting of boating accidents. The results of this study, conducted by the Coast Guard, would then provide the necessary statistical background for recommendations to project further changes to our boating safety program.

Despite the problems of accident reporting identified in the NTSB study, MRAA strongly supports the recommendation of the NTSB that stronger BUI or alcohol abuse laws must be written and enforced in all 50 states. Twelve states do not have BUI laws, and most states with BUI laws have a Blood Alcohol Content (BAC) standard of 0.01.

We are committed to getting the drunks off the water. There is a strong correlation between alcohol usage and boating accidents. MRAA believes boating safety dollars from the Wallop-Breaux Trust Fund should be restricted from states that do not have BUI laws with a BAC of 0.08 (the California standard). A more strict standard of 0.08, compared to a BAC standard of 0.10 for automobiles, is needed because the added stressors of sun, wind, boat motion, and temperature tend to affect judgment, reflexes, coordination, and overall awareness more quickly on a boat than in a car.

We also believe adequate time of two or three years be given to states to comply before distribution of funds is restricted.

MRAA also commends the NTSB for recommending state legislation requiring children to wear lifejackets. In practice, many parents and boat operators are already doing this. As reported earlier, the National Boating Safety Advisory Council has been looking into this issue. The Council is currently reviewing the best threshold, for example, should it be based on age or weight. And what should that threshold be? MRAA is working closely with the Council to determine the best approach to this issue. We recommend that the Council be given the mandate to develop recommendations to Congress and the Coast Guard in this regard.

The NTSB report gave a recommendation that states should consider mandatory operator licensing of recreational boaters as the next step to improve safety on the water. We very strongly disagree with this recommendation of the Board at this time. It is a solution looking for a problem!

As outlined earlier, recreational boating has made great improvements and has achieved a truly outstanding safety record over the past 20 years. MRAA believes that many of the problems of safety on the water are generally caused by cases of boaters not knowing what their responsibilities are and inexperience in operating the boat.

Boating accident data, however misleading because of poor reporting problems identified in the NTSB report, consistently show an overwhelming majority of boating mishaps are caused by carelessness, frequently exacerbated by the effects of alcohol.

It is our opinion that a license or permit cannot ensure that common sense or respect for the rights of others will be honored or that safety improvements will occur. Every state proposal we have heard about or reviewed, involves a simple test, similar to a automobile drivers test, given to boaters every three to five years. This test on navigation rules, it is reported, would make a boater operate a boat in a safer manner.

We simply DO NOT believe this! Nor do we believe a boat operator licensing program can be a simple undertaking. It is a complicated problem. Unlike automobiles, boats are manufactured in a wide variety of sizes, shapes, lengths, and horsepower and are operated in a wide variety of conditions and environments from small lakes, to rivers, to the world's oceans in weather from peaceful calm to severe storms. The complications of a simple mandatory licensing system would overwhelm state authorities ability to enforce them, would create a bureaucratic nightmare at a time when many state governments are suffering financial and budget problems (the State of Maryland's mandatory education plan was recently gutted, for example, because of a lack of funds), and would create an unsubstantiated feeling of knowledge and safety among boaters.

We believe this recommendation is using a cannon to correct a problem where fine tuning is all that's required. The establishment of the new bureaucracy or governmental department to administer a licensing program certainly would provide added job security to boating law administrators, but we believe boating safety would be better served by spending more money and time on the water and by supporting the vast education efforts of the Auxiliary and Power Squadron.

In addition, existing laws should be enforced by increasing the number of fully trained and equipped law enforcement officers, and new laws should be researched and enacted, such as state and Federal BUI laws.

With a better educated boating public, better trained law enforcement officials, and enforceable BUI laws, MRAA strongly believes the waters of America can remain free and safe for all to enjoy and that boating fatalities and accidents will continue to come down.

Thank you, Mr. Chairman. I am open now for questions.

Footnotes

(1) "Boating Statistics 1991," U.S. Coast Guard, p. 6.

(2) "Boating Statistics 1991," U.S. Coast Guard, p. 2.

(3) "Boating Statistics 1991," U.S. Coast Guard, p. 2.

(4) "Boating Statistics 1991," U.S. Coast Guard, p. 2.

Testimony for the Record

by the

American Waterways Operators

Oversight Hearing

on

Recreational Boating Safety

Subcommittee on Coast Guard and Navigation

Committee on Merchant Marine and Fisheries

U.S. House of Representatives

June 24, 1993

This testimony is submitted for the record by the American Waterways Operators (AWO). AWO is the national trade association representing the inland and coastal barge and towing industry. Our membership consists of the owners and operators of tugboats, towboats, and barges, as well as the shipyards which build and repair these vessels. The industry employs 180,000 individuals, accounting for over one-half of the onboard jobs in the U.S. merchant marine.

The 26,000 miles of navigable inland and coastal waterways of the nation foster a coexistence of recreational boaters, water skiers, jet skiers, and others who use the water for pleasure, along with the working tugboats, towboats, and barges of our industry. The growth of the recreational boating industry from 6 million recreational boaters in 1961 to nearly 17 million today is both a good sign of the nation enjoying itself, and a sign of potential and growing danger. Consider, that along with all those pleasure boats, 7000 towboats and tugboats as well as over 30,000 barges of all types ply the waters.

The waterways do not belong to any single type of vessel--recreational or commercial. The sail boater, power boater, fisherman, or water skier has just as much right to be on the water as the tugboat, towboat or commercial fishing boat. However, we all need to be more aware of each other and to understand the constraints, needs, restrictions, abilities and just plain facts of each others' existence on the waterways.

By anyone's standards, there are too many accidents involving recreational and commercial vessels. Coast Guard statistics indicate that the annual rate of reported accidents for this type of incident has almost doubled in the last seven years. Most tellingly perhaps, many of these accidents have been the result of failure to comply with the rules of the road, or errors in judgement, or just plain carelessness. Add to this the fact that only about ten percent of recreational boaters have had any formal boating safety training, and one can easily deduce that there is a vast educational void that needs to be filled. Most of the accidents would seem to be preventable through more widespread boater education that operating a recreational boat on America's crowded inland and coastal waterways may take some special knowledge, particularly around commercial vessels.

The tug and barge industry has seen a clear need for a program to develop an awareness in recreational boaters of the constraints under which commercial vessels operate, and thus provide as many recreational boaters as possible with the best protection against danger.

AWO established the American Waterways Operators Foundation (AWOF), which is a national nonprofit public service organization formed for the purpose of producing educational materials and conducting research of interest to the general public regarding the operations of inland and coastal waterways operators. In that regard, safety issues involving use of the waterways by both recreational and commercial interests are of key importance. AWOF attempts to promote safe use of the waterways through the distribution of educational materials to all waterway users--recreational boaters and commercial operators--nationwide.

AWOF has developed **LIFELINES** recreational boating safety pamphlets to draw national media attention to the critical issue of recreational boating safety. The foundation's production and distribution of over 1.3 million of these brochures during 1991-1992, was made possible by a grant from the U.S. Coast Guard's Financial Assistance Program for the National Nonprofit Public Service Organizations. AWOF received a second grant in 1993 to develop, produce, and distribute 2,000 videotapes which display a graphic representation of the **LIFELINES** brochure.

The **LIFELINES** program reflects AWOF's aim to develop a more clear awareness that on many inland and coastal waterways where millions of power boats, sail boats, water skiers, and jet skiers are recreating, that thousands of tugboats, towboats and barges carrying millions of tons of cargo also pass. AWOF attempts to demonstrate in clear, easy-to-understand terms some of the operational restrictions and requirements of commercial vessels that recreational boaters should know. These operating restrictions are not always apparent.

It is important to note that the **LIFELINES** brochure program does not concern only the relationship between recreational and commercial vessels, but is designed to reinforce such important, generic safety messages as the need to wear personal flotation devices, the advisability of posting a lookout, avoiding ship channels, and the dangers of boating while intoxicated.

We recognize that boating safety is not a one-way street. While attempting to educate recreational boaters, towing company members of the American Waterways Operators also distribute the new **LIFELINES** educational materials both within their companies and aboard their vessels. Commercial vessel pilots undergo intensive professional training and practice in everything from navigation to fire-fighting through in-house training and through a rigorous licensing program administered by the Coast Guard. The mariners who command towing industry vessels have many years of experience before they take the controls. Nevertheless, our industry believes firmly that there is always something new to learn, or seasoned skills to be fine-tuned, and the **LIFELINES** brochure works to encourage a greater awareness of the increasingly more crowded recreational boating environment among our captains and their crews.

The tug and barge industry is one hundred percent behind the overall effort to enhance recreational boating safety. Since 1989, towing companies have joined together to enthusiastically promote the **LIFELINES** project in their local areas, through the media and other appropriate outlets.

NATIONAL MARINE NMMA MANUFACTURERS ASSOCIATION

Statement of

Mr. Mick Blackistone
Director of Government Relations
National Marine Manufacturers Association

before the

Subcommittee on Coast Guard and Navigation
of the
Committee on Merchant Marine and Fisheries

The United States House of Representatives
Washington, D.C.

Re: Recreational Boating Safety and the Safety Study on Recreational Boating issued by the National Transportation Safety Board

June 24, 1993

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Statement of Mick Blackistone
Director of Government Relations
National Marine Manufacturers Association
before the
Merchant Marine and Fisheries
Subcommittee on Coast Guard and Navigation
on the Safety Study on Recreational Boating by
the National Transportation Safety Board

Mr. Chairman and members of the Subcommittee, my name is Mick Blackistone. I am Director of Government Relations for the National Marine Manufacturers Association (NMMA) and I appreciate this opportunity to present testimony on the National Transportation Safety Board (NTSB) study on recreational boating.

The NMMA represents over 1,700 recreational boat manufacturers and related product manufacturers, state marine trades associations and others related to the boating industry. Our members produce over 90 percent of the products used by recreational boaters in the U.S. NMMA is committed to ensuring boating safety and has been active in many public and private boating safety efforts over the years.

The National Marine Manufacturers Association has appreciated the opportunity to work with the NTSB staff, state boating law administrators, state legislators, state marine trades associations and other industry groups to assist in continual decline of boating accidents and fatalities on the water. Last year was a record low in fatalities, 4 per 100,000 boats; a great improvement over the early 1970's when there were 20 per 100,000 boats and at that time there were far fewer boats on the water.

In concert with the NTSB study recommendations, the Members may be interested to know what NMMA is doing in regard to safety initiatives:

* Released model legislation on mandatory boating safety education; boating while intoxicated; personal watercraft; noise; and, personal floatation device wear for children;

* Created BOAT SMART KIDS, a boating safety and environmental awareness program for fifth grade students;

* Encouraged our boat manufacturer members to include boating safety information with each boat coming off the assembly line;

* Created an environmental and boating safety brochure, which will be released later this summer, for each boat coming off the assembly line;

* Expanded our NMMA/Miller Brewing Company Designated Driver campaign;

* Continued our NMMA voluntary boat certification program, which far exceeds federal safety requirements for our participating manufacturers;

* Expanded our already extensive list of boating safety brochures and videos; and,

* Continued our long standing commitment to the National Association of State Boating Law Administrators to help ensure their boating safety/enforcement budgets do not fall victim to tough economic times.

Mr. Chairman, are opposed to operator licensing. Boats, unlike cars, because of there differences in size, configuration, power/sail, and so on would be very difficult to use for testing operators. If I test my son on a 16 foot runabout and he passes, he is then "qualified" to operate a 42 foot trawler. This is an impractical approach, from our standpoint, not to mention the bureaucratic, logistical, administrative and financial burdens which would be created by such a program.

NMMA supports mandatory education for youth. We recently worked out compromise legislation with the Florida Marine Patrol, that should pass the Florida legislature next year, which will call for mandatory boating safety education. We have turned this into an NMMA model education bill which we are making available to state boating law administrators or state legislators and telling them we can support there efforts.

NMMA commends the NTSB for its study on boating safety and supports the recommendations made to state governors and the National Association of State Boating Law Administrators. Jeff Napier, President of NMMA, wrote to Chairman Vogt, the day after the study was released, to compliment the NTSB for their efforts to improve boating safety.

In conclusion, NMMA strongly endorses state legislation to require: stiff penalties for boating while intoxicated; mandatory boating safety education; regulations for personal watercraft use; and, mandatory PFD usage by children. NMMA only disagrees with the NTSB recommendation that either the Coast Guard or state boating law administrators develop a mandatory operator licensing program.

Mr. Chairman, thank you for the opportunity to comment on the NTSB Study and to let you and your colleagues know what we, in the industry, are doing to compliment your concerns for boating safety.

Attachments: NMMA Model Legislation:
- Mandatory Boating Safety Education
- Boating Under the Influence Act
- Personal Watercraft Safety Act

NMMA Alcohol and Boating Fact Sheet
NMMA Boating Safety Program Press Release

NMMA

MODEL BOATING UNDER THE INFLUENCE ACT

An act relating to operating a vessel under the influence; establishing the blood alcohol level that constitutes an element of the offense of operating a vessel under the influence; providing that the offense of operating a vessel while intoxicated is a third-degree felony if such operation causes serious bodily injury; providing that the offense of operating a vessel while intoxicated is manslaughter if such operation causes the death of another human being; providing provisions relating to presumption of impairment; providing penalties; providing an effective date.

Be It Enacted by the Legislature by the State of ___________.

Section 1. Operating a vessel while under the influence of alcoholic beverages, chemical substances, or controlled substances; penalties.--

(1) It is unlawful and punishable as provided in subsection (2) for:

(a) Any person who is under the influence of alcoholic beverages, any chemical substance set forth in s._____[cite section of law], or any substance controlled under Chapter_____[cite chapter of law], when affected to the extent that his or her normal faculties are impaired, to operate a vessel on the waters of the state; or

(b) Any person with a blood or breath alcohol level of 0.08 percent or above to operate a vessel within this state.

(2) Any person who is convicted of a violation of subsection (1) shall be punished:

(a) By a fine of:

1. Not less than $250 or more than $500 for a first conviction;

2. Not less than $500 or more than $1000 for a second conviction; or

3. Not less than $1000 or more than $2500 for a third or subsequent conviction; and

(b) By imprisonment for:

1. Not more than 6 months for a first conviction;

2. Not more than 9 months for a second conviction; or

3. Not more than 12 months for a third or subsequent conviction.

(3) In addition to any sentence or fine imposed under this section, the court shall require any person convicted of violating this section to attend a substance abuse course specified by the court, and the agency conducting the course may refer such person to an authorized agency for substance abuse evaluation and treatment. Such person shall assume the reasonable costs for such education, evaluation, and treatment.

(4) With respect to any person convicted of a violation of subsection (1), regardless of any penalty imposed pursuant to subsection (2):

(a) For the first conviction for violation of this section, the court shall order the defendant to participate in public service or a community work project for a minimum of 50 hours.

(b) For the second conviction within a period of 3 years from the date of a prior conviction for violation of this section, the court shall order imprisonment for not less than 10 days.

(c) For the third conviction within a period of 5 years from the date of a prior conviction for violation of this section, the court shall order imprisonment for not less than 30 days.

Section 2. Operation of a vessel while intoxicated; punishment.--

(1) It is unlawful for any person, while in an intoxicated condition or under the influence of alcoholic beverages, any chemical substance set forth in s._____[cite section of law], or any substance controlled under chapter_____[cite section of law] to the extent that his or her normal faculties are impaired, to operate a vessel on the waters of the state. A violation of this section is punishable as provided in s. _____[cite section of law]. For the purposes of this subsection, a previous conviction under s.____[cite section of law] constitutes a previous conviction for violation of this subsection.

(2) If damage to the property or person of another, other than damage resulting in serious bodily injury or in the death of any person, is done by such intoxicated person by reason of the operation of any vessel, such person is guilty of a misdemeanor of the first degree, punishable as provided in s._____[cite section of

law]; if serious bodily injury to another, as defined in s._____[cite section of law], is caused by the operation of a vessel by any person while so intoxicated, such person is guilty of a felony of the third degree, punishable as provided in s. _____[cite section of law]; and, if the death of any human being is caused by the operation of a vessel by any person while so intoxicated, such person is guilty of manslaughter, punishable as provided by existing law for manslaughter.

(3) A conviction under this section is not a bar to any civil suit for damages against the person so convicted.

Section 3. Presumption of impairment; testing methods.--

(1) It is unlawful and punishable as provided in s._____[cite section of law] for any person who is under the influence of alcoholic beverages or controlled substances, when affected to the extent that his or her normal faculties are impaired, to operate a vessel on the waters of this state.

(2) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while operating a vessel while under the influence of alcoholic beverages or controlled substances, when affected to the extent that his or her normal faculties were impaired or to the extent that he or she was deprived of full possession of his or her normal faculties, the results of any test administered in accordance with s.____[cite section of law] and this section shall be admissible into evidence when otherwise admissible and the amount of alcohol in the person's blood or breath at the time

alleged, as shown by chemical analysis of the person's blood or by chemical or physical test of the person's breath, shall give rise to the following presumptions:

(a) If there was at that time 0.05 percent or less by weight of alcohol in the person's blood or breath, it shall be presumed that the person was not under the influence of alcoholic beverages to the extent that his or her normal faculties were impaired.

(b) If there was at that time in excess of 0.05 percent but less than 0.08 percent by weight of alcohol in the person's blood or breath, such fact shall not give rise to any presumption that the person was or was not under the influence of alcoholic beverages to the extent that his or her normal faculties were impaired, but such fact may be considered with other competent evidence in determining whether the person was under the influence of alcoholic beverages to the extent that his or her normal faculties were impaired.

(c) If there was at that time 0.08 percent or more by weight of alcohol in the person's blood or breath, that fact shall be prima facie evidence that the person was under the influence of alcoholic beverages to the extent that his or her normal faculties were impaired.

The percent by weight of alcohol in the blood shall be based upon grams of alcohol per 100 milliliters of blood when analyzing blood or grams of alcohol per 210 liters of breath when analyzing breath. The foregoing provisions of this subsection shall not be construed as limiting the introduction of any other competent evidence bearing upon the question of whether the person was under the influence of alcoholic beverages to the extent that his normal faculties were impaired.

Section 3. This act shall take effect ________.

MODEL MANDATORY BOATING SAFETY EDUCATION ACT

An act relating to boating safety; creating _____[cite section of law]; requiring certain persons who operate certain vessels to obtain boating safety identification cards; requiring boating safety education courses or examinations; providing for the appointment of agents; requiring fees; providing for a statewide boating safety education program; providing exemptions; providing penalties; creating _____[cite section of law]; providing mandatory boating safety education for certain noncriminal infractions; providing an effective date.

Be It Enacted by the Legislature of the State of ___________:

Section 1. Boating safety education. --

(1) A person 18 years of age or under may not operate a vessel powered by an engine of 20 horsepower or more unless he or she has in possession aboard the vessel a boating safety identification card issued by the department which shows that he or she has:

(a) Completed a department approved boating safety education course that meets the minimum 8-hour instruction requirement established by the National Association of Boating Law Administrators; or

(b) Passed an equivalency examination approved by the department.

(2) The department shall issue a permanent boating safety identification card to each person who complies with the requirements of this section. The department is authorized to establish a $___ fee to cover its administrative costs.

(3) The department may appoint liveries, marinas, or other persons as its agents to administer the equivalency examinations and issue identification cards under guidelines established by the department. An agent must forward to the department proof of passage of the examination and may charge and keep a $___ service fee.

(4) The department must institute and coordinate a statewide program of boating safety instruction and certification and ensure that a course of boating safety education and equivalency exams are available within each county.

(5) A person is exempt from subsection (1) if he:

(a) Is licensed by the United States Coast Guard to serve as master of a vessel.

(b) Operates a vessel only on a private lake or pond.

(c) Is accompanied in a vessel by a person over 18 years of age who is attendant to the operation of the vessel and responsible for any violation that occurs during the operation.

(d) Is a nonresident who is visiting the state for 60 days or less in a vessel that is numbered in another state.

(e) [Insert any other appropriate exemptions]

(f) Is exempted by rule of the department.

(6) A person who violates this section is guilty of a noncriminal infraction.

Section 2. Mandatory boating safety education for violators.-

(1) The court shall require any person convicted of a criminal violation of this chapter [chapter containing boating laws of the state], any person convicted of a non-criminal violation of s.____[cite section of law] relating to careless operation, s.____[cite section of law] relating to interference with navigation, s.____[cite section of law] relating to restricted areas, or s.____[cite section of law] relating to navigation rules, any person convicted of a noncriminal infraction under this chapter if the infraction resulted in a reportable boating accident, and any person convicted of a noncriminal infraction under this chapter if such person has been convicted of any other violation of this chapter and the offense for which he or she was convicted occurred within the 12 months preceding the noncriminal infraction, to:

(a) Enroll in and successfully complete, at his or her own expense, a boating safety education course that meets minimum standards established by the department by rule;

(b) File with the court proof of successful completion of the course; and

(c) Refrain from operating a vessel until he or she has filed the proof of successful completion of the course with the court.

Section 3. This act shall take effect _____.

NATIONAL MARINE MANUFACTURERS ASSOCIATION

MODEL PERSONAL WATERCRAFT SAFETY ACT

Section 1. **[Short Title.]** This act may be cited as the Personal Watercraft Safety Act.

Section 2. **[Definitions.] As used in this chapter:**

(1) "Personal Watercraft" shall mean a vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than the conventional manner of sitting or standing inside the vessel.

(2) "Specialty prop-craft" shall mean a vessel which is similar in appearance and operation to a personal watercraft but which is powered by an outboard or propeller driven motor.

Section 3. **[Regulations of personal watercraft.]**

(1) A person may not operate a personal watercraft unless each person aboard or being towed is wearing a type I, type II, type III, or type V personal flotation device approved by the United States Coast Guard.

(2) A person operating a personal watercraft equipped by the manufacturer with a lanyard type engine cutoff switch must attach such lanyard to his person, clothing, or personal flotation device as appropriate for the specific vessel.

(3) A person may not operate a personal watercraft at any time between the hours from one-half hour after sunset to one-half hour before sunrise.

(4) A personal watercraft must at all times be operated in a reasonable and prudent manner. Maneuvers which unreasonably or unnecessarily endanger life, limb, or property, including, but not limited to, weaving through congested vessel traffic, jumping the wake of another vessel unreasonably or unnecessarily close to such other vessel or when visibility around such other vessel is obstructed, and swerving at the last possible moment to avoid collision shall constitute reckless operation of a vessel.

(5) No person under the age of 16 shall operate a personal watercraft on the waters of the state.

(6) It is unlawful for the owner of any personal watercraft or any person having charge over or control of a personal watercraft to authorize or knowingly permit the same to be operated by a person under 16 years of age in violation of this section.

Any person who violates this subsection shall be guilty of a _________(State determined penalty).

NMMA
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(7) No person shall tow a water skier or a person on any floating device with a Personal Watercraft unless the craft is either (1) equipped with a mirror or mirrors which permit the operator to observe the person being towed, or (2) carrying a person other than the operator who is in position to observe the person being towed. No person shall tow a water skier or any floating device unless the person being towed is wearing one of the personal floatation devices described in Section (a) above. Personal Watercraft may be used to tow another vessel when rendering assistance.

Section 4. **[Regulation of liveries.]**

(1) A livery may not lease, hire, or rent a personal watercraft to or for operation by any person who is under 16 years of age.

(2) Any person convicted of violating this section is guilty of a __________(State determined penalty).

Section 5. **[Exemptions.]** The provisions of Section 3 shall not apply to a performer engaged in a professional exhibition or a person preparing to participate or participating in an officially sanctioned regatta, race, marine parade, tournament or exhibition.

Section 6. **[Regulations of specialty prop-craft.]** The provisions of Sections 3, 4, and 5 shall apply to specialty prop-craft.

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FOR IMMEDIATE RELEASE

MARINE MANUFACTURERS UNVEIL SAFETY PROGRAM

CHICAGO -- Marine manufacturers will use the kick-off of National Safe Boating Week, June 6-12, to bring attention to a nationwide initiative promoting safe boating and reasonable legislation for America's 75 million boaters. Prepared by the National Marine Manufacturers Association (NMMA), an industry group representing 1,700 boat, engine and accessory manufacturers, the NMMA Boating Safety Program has both an enforcement and educational thrust.

The enforcement focus of the program is centered on model legislation addressing key safety issues in recreational boating. Advanced at the state level, these model bills cover mandatory education for children, personal watercraft operation, use of personal flotation devices (lifejackets), and boating while under the influence.

On the education side, the industry initiative encompasses NMMA's Boat Smart Kids program, the NMMA/Miller Brewing Company Designated Driver campaign, a voluntary boat certification program, and widespread delivery of safety materials and videos to the boating public. Also slated for this summer is a new environmental brochure on the proper use, operation and maintenance of boating products for protection of the marine environment. Concerned conservation groups provided input for the brochure, which will be distributed with new boats coming off NMMA member assembly lines.

"NMMA's Boating Safety Program will be made available to state boating law administrators, legislators and marine trade associations," explained Mick Blackistone, director of NMMA Government Relations. "If these groups want to use all or part of the program, they can do so with assurance that NMMA and our member companies will support them in the legislative arena. While we have never embraced the introduction of more legislation and regulation, we think the model bills are positive, proactive steps in the right direction."

In the past, the marine industry has opposed mandatory boating education and still maintains it's opposition to licensing. "We have generally resisted legislation that doesn't go to the heart of on-water problems and adds costly administrative layers to agencies already pressed with enforcement duties," said Blackistone.

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The marine industry's boating safety program targets educational efforts toward kids to establish a lifelong pattern of good boating habits and respect for the marine environment. And it tackles alcohol-related accidents with stiffer enforcement and penalties for those who operate boats while drinking.

"While we've seen a steady downward trend in boating fatalities -- currently 4.0 per 100,000 boats compared to 20 per 100,000 in the early '70s -- we can do better," stated Blackistone. "We believe our safety package will aid those with the regulatory and legislative authority to do just that."

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(5/24/93/20)

ALCOHOL AND BOATING FACT SHEET

The entire boating industry is concerned about the responsible use of alcohol while boating. The National Marine Manufacturers Association, in cooperation with the Miller Brewing Company, is taking aggressive steps to reach all boaters with a clear message that operating a boat while under the influence of alcohol is not to be tolerated on America's waters.

Some Sobering Boating Statistics:

- Alcohol is a contributing factor in at least half of all boating fatalities and is involved in at least 60 percent of all boating accidents.
- Only 1/3 the amount of alcohol that makes a person legally too drunk to drive on the road is enough to rob a boat driver of his critical judgement on the water.
- In 1989, 90 percent of boating accident deaths were drowning victims.
- Drownings are the second leading cause of accidental death in the U.S. for people under age 44, and the third leading cause for all ages.
- Three-fourths of those victims were in boats less than 17 feet long.
- Most drownings occur only 10 to 30 feet from safety.
- Three out of four drowning victims were not wearing their life jackets.
- Two-thirds of all boating fatalities are caused by capsizing and falling overboard.
- Three times out of four, the accident is the fault of the boat operator.
- Fewer than 20 percent of the boat operators involved in accidents have taken a boating course taught by the U.S. Coast Guard Auxiliary, the U.S. Power Squadrons, American Red Cross, or their state.

(These facts are from U.S. Coast Guard boating accident statistics for 1989, and are based on fatal accidents—nearly all of which are reported.)

We know that alcohol can be part of the fun of recreational boating , and nobody is saying not to drink ...

Just Remember:

ON THE ROAD / ON THE WATER

A DESIGNATED DRIVER MAKES SENSE!

Statement of the Passenger Vessel Association for the

Subcommittee on Coast Guard and Navigation
Committee on Merchant Marine and Fisheries

Regarding

Recreational Boating Safety

June 24, 1993

It is with pleasure that the Passenger Vessel Association submits this statement in support of the National Transportation Safety Board's (NTSB) seminal study of recreational boating safety.

We respectfully request that this statement be included in the hearing record on Recreational Boating Safety, conducted by the House Subcommittee on Coast Guard and Navigation, June 24, 1993.

The Passenger Vessel Association (PVA) is the national trade association of the passenger vessel industry. Founded in 1973, PVA today represents more than 500 companies that own, operate and supply U.S. flag passenger vessels. These include dinner cruise ships, tour and excursion boats, car and passenger ferries, private charter boats, casino gaming vessels, domestic overnight cruise boats and environmental vessels. Member companies of the association operate more than 1,200 vessels ranging in size from 7 to 4,000 passengers, and together carried in excess of 100 million passengers in 1992.

Because we hold the safety of these 100 million people as our highest priority, we feel a keen and vested interest in the behavior of everyone on the water, including recreational boaters. Whether it is a small, outboard-motor craft, a dining yacht or a commercial passenger ferry, everyone who operates a boat is effected by everyone else who shares the waterway. We are not isolated from one another, neither are the passengers entrusted to our care.

Due to this, we were encouraged that the NTSB undertook this long-overdue examination of fatal recreational boating accidents, and we strongly endorse the resulting recommendations made by the NTSB to improve boating safety. As the National Association of State Boating Law Administrators (NASBLA) stated in its testimony, "without this analytical study, future efforts toward improving boating safety would be based on conjecture, conventional wisdom and opinions. This study and its recommendations provide the critical policy positions for national debate, refinements and or adoption."

We further applaud the U.S. Coast Guard, NASBLA, the National Water Safety Congress and others for their commitment to the NTSB effort and willingness to move forward to consider or embrace the NTSB recommendations.

While we agree with all four areas identified by the NTSB as contributing to recreational boating fatalities, our personal experience -- experience which compels us to enter this debate -- prompts us to focus on two: alcohol-impaired boaters and the critical need to implement mandatory boater education and licensing requirements.

First, PVA joins the Coast Guard and others in urging state legislatures to expand and strictly enforce their laws relating to the operation of vessels under the influence of alcohol. We urge states to **at least** adopt the Coast Guard's blood alcohol concentration of .10 percent as the standard above which boaters will be considered alcohol-impaired. Yet establishing a law against BWI is meaningless without aggressive enforcement. Public education about the dangers of BWI must be increased. The public must be encouraged to report suspect behavior to their local law enforcement authorities, including the Coast Guard. Local authorities must have the ability and will to conduct onboard inspections, and undertake chemical and toxicological testing where operator behavior is questionable. Strict and visible enforcement of state BWI laws not only will remove dangerous operators from the immediate scene, but, over time, will serve as an important deterrent to boating while intoxicated.

Second, we strongly support the NTSB's recommendation regarding the need for mandatory boater education. Furthermore, we strongly concur in the Board's recommendation that only operators who pass an examination demonstrating a thorough knowledge of boating operations and the "rules of the road" be allowed to operate vessels on a public waterway. Successful completion of such a test would result in a valid operator's license that could be held as evidence to the Coast Guard and others of that individual's competence as a boat operator.

We are aware that this last recommendation has spawned some controversy. We don't know why. In every other circumstance where an individual operates a vehicle on a public thoroughfare - and our waterways are public thoroughfares - that individual is required by law to hold a valid operator's license. This is true of automobiles, motorcycles, vans, buses, trains, and planes. Boats cruising the nation's waterways are no different.

While it is true, as the Coast Guard notes in its testimony, that boating is "primarily a form of recreation rather than transportation," it is also true -- and more important -- that recreational boaters, merely by being on the water, directly affect the safety of all those around them. On a remote lake where only a sailor or two might be found, the hazard to others may be nonexistent. But on busy waterways - such as Long Island or Puget

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Sounds -- an operator who fails to obey the rules of the road, either by omission or commission, is a danger not only to himself but to hundreds of innocent bystanders (this is particularly true in the case of those who operate the new, high performance boats that move at extremely high speeds).

An incident involving the Bridgeport/Port Jefferson Steamboat Company offers an illustration of how careless, dare-devil recreational boaters endanger the lives of innocent people. This ferry company operates two 100-car/1000-passenger ferries between Port Jefferson, New York and Bridgeport, Connecticut, and carries approximately 250,000 vehicles and 700,000 passengers a year.

On Saturday, April 26, 1986, a pleasure boat operating at high speed tried to jump the wake of the ferry "Grand Republic". This occurred in the open waters of Long Island Sound, approximately 1.5 miles from the Port Jefferson "A" buoy. As the speedboat hit the wake it flipped, throwing its three passengers into the Sound. Fortunately, the resulting injuries, while serious, were not permanent. The speedboat was demolished.

Hornblower Dining Yachts in California reports similar stories. In San Diego Harbor, a high speed pleasure craft hit one of Hornblower's vessels when its lone (assumed-to-be intoxicated) occupant fell overboard, sending the boat on a wild, careening spin through the Harbor until it crashed into a break water. On another occasion, a sailboat actually put its bow pulpit through the window of a Hornblower yacht cruising San Franscisco Bay after tacking right up to the vessel then failing to veer off quick enough to avert disaster. "We also are constantly besieged by wind surfers and jet skiers who find it amusing to jump our wake or use us as a target," notes Hornblower's Manager of Vessel Operations, John Waggoner.

In our view, wake-jumping, high speed approaches (the waterborne version of the game of "chicken") and other conscious boating actions that endanger the public are safety threats that should be addressed outright. State legislatures that fail to enact laws to make such activities illegal should be encouraged to act by every means possible. For example, the Coast Guard has noted that it was directed during a reauthorization of the state RBS grant program in 1988 to increase its state affairs staff. Similar directives or incentives might be included in future authorizations of the RBS program to prod states into making identifiable safety problems illegal and creating penalties sufficient to act as a deterrent. While we are aware that NASBLA opposes such federal mandates, the time has come to take forceful action against such well-known but often ignored recreational boating "pass times".

In addition to specific laws outlawing dangerous behavior, operator licensing would, in our opinion, go a long way toward controlling the problem. Moreover, our experience tells us the general public, and many in the boating community itself, would welcome operator licensing as a tool toward greater boating safety. Indeed, the Boating Law Administrator of Louisiana, Lt. Col. Charlie Clark, testified that a 1990 survey of Louisiana boaters showed 81% percent favored mandatory boating education and 68% percent favored operator licensing. While acknowledging the obstacles, Lt. Col Clark vowed to continue his push to win Louisiana state approval of both programs. He predicted marine law enforcement agencies responsible for boating safety programs in other states will press for similar laws.

Opponents of licensing undoubtedly will decry what they'll view as the increased government bureaucracy that will flow from such a requirement. As the NTSB points out, however, every state (save Alaska) has today an existing boat titling and registration authority which could be used for the minimal additional record keeping involved. Licensing requirements and educational program information could be included in the standard packet of information available to boat owners at time of registration. Much of the cost of boater education programs could be borne by the individual boat owner, much as the cost of driver education today is borne by those who seek a driver's license. As with many other activities, it's simply the price of admission.

A mandatory boater's license would give both the Coast Guard and local law enforcement authorities new tools to enforce against unsafe waterborne behavior. The NTSB notes that the National Highway Traffic Administration has evidence to show that "revocation of a person's driving license, if found to driving under the influences of alcohol or drugs, has helped to deter this behavior." We agree that revocation of a license to operate a boat - a passion usually exceeding that of a car -- would have a similarly deterring effect on dangerous behavior.

Finally, we agree with the NTSB's view that more comprehensive and accurate information, gathered on an on-going basis, must be developed about recreational boating safety incidents. The NTSB was forced to resort to data by the American Red Cross, not the U.S. Coast Guard or other government agency, to show that an estimated 355,000 persons are injured from recreational boating accidents each year, with more than 40 percent of these injuries requiring medical treatment beyond first aid. Recently, consideration of the Passenger Vessel Safety Act of 1993 was hindered because the Coast Guard lacked adequate information on safety incidents involving recreational vessels that had been, either routinely or occasionally, chartered under bareboat contracts. Information extending beyond fatality reports is urgently needed to give law enforcement agencies and the boating community itself better tools with which to construct improved boating safety rules and programs.

In summary, it is important to remember that operating a boat on a public waterway - just like operating a car on a public highway - is a privilege. The safety of many people -- not just the operator or his family or his friends -- is at issue. It is not unfair or unreasonable to expect people to know safe boating and to practice it. And it is in the national interest that they do so.

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